

109TH CONGRESS  
2D SESSION

# H. R. 2829

[Report No. 109–315, Part \_\_\_\_]

To reauthorize the Office of National Drug Control Policy Act.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2005

Mr. SOUDER (for himself and Mr. TOM DAVIS of Virginia) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committees on the Judiciary, Energy and Commerce, and Select Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MARCH 3, 2006

Reported from the Committee on the Judiciary with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 9, 2005]

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## A BILL

To reauthorize the Office of National Drug Control Policy  
Act.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*



1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Of-*  
3 *fice of National Drug Control Policy Reauthorization Act*  
4 *of 2005”.*

5 (b) *TABLE OF CONTENTS.*—*The table of contents for*  
6 *this Act is as follows:*

*Sec. 1. Short title; table of contents.*

*Sec. 2. Amendment of Office of National Drug Control Policy Reauthorization Act of 1998.*

*Sec. 3. Repeal of termination provision.*

*Sec. 4. Amendments to definitions.*

*Sec. 5. Amendments relating to establishment of Office of National Drug Control Policy and designation of officers.*

*Sec. 6. Amendments relating to appointment and duties of Director and Deputy Director.*

*Sec. 7. Amendments relating to coordination with other agencies.*

*Sec. 8. Development, submission, implementation, and assessment of National Drug Control Strategy.*

*Sec. 9. High Intensity Drug Trafficking Areas Program.*

*Sec. 10. Funding for certain High Intensity Drug Trafficking Areas.*

*Sec. 11. Amendments relating to Counter-Drug Technology Assessment Center.*

*Sec. 12. National youth antidrug media campaign.*

*Sec. 13. Drug interdiction.*

*Sec. 14. Awards for demonstration programs by local partnerships to shut down illicit drug market hot-spots by deterring drug dealers or altering the dynamic of drug sales.*

*Sec. 15. Awards for demonstration programs by local partnerships to coerce abstinence in chronic hard-drug users under community supervision through the use of drug testing and sanctions.*

*Sec. 16. Authorization of appropriations.*

*Sec. 17. Technical amendments and repeal.*

*Sec. 18. Requirement for disclosure of Federal sponsorship of all Federal advertising or other communication materials.*

*Sec. 19. Policy relating to syringe exchange programs.*

7 **SEC. 2. AMENDMENT OF OFFICE OF NATIONAL DRUG CON-**  
8 **TROL POLICY REAUTHORIZATION ACT OF**  
9 **1998.**

10 *Except as otherwise expressly provided, whenever in*  
11 *this Act an amendment or repeal is expressed in terms of*  
12 *an amendment to, or repeal of, a section or other provision,*

1 *the reference shall be considered to be made to a section or*  
2 *other provision of the Office of National Drug Control Pol-*  
3 *icy Reauthorization Act of 1998 (Public Law 105–277; 21*  
4 *U.S.C. 1701 et seq.).*

5 **SEC. 3. REPEAL OF TERMINATION PROVISION.**

6 *Section 715 (21 U.S.C. 1712) is repealed, and the law*  
7 *shall read as if such section was never in effect.*

8 **SEC. 4. AMENDMENTS TO DEFINITIONS.**

9 *(a) AMENDMENTS TO DEFINITIONS.—Section 702 (21*  
10 *U.S.C. 1701) is amended—*

11 *(1) in paragraph (1)—*

12 *(A) by striking “and” at the end of sub-*  
13 *paragraph (F);*

14 *(B) by striking the period at the end of sub-*  
15 *paragraph (G) and inserting “, including the*  
16 *testing of employees;”; and*

17 *(C) by adding at the end the following:*

18 *“(H) interventions for drug abuse and de-*  
19 *pendence; and*

20 *“(I) international drug control coordination*  
21 *and cooperation with respect to activities de-*  
22 *scribed in this paragraph.”;*

23 *(2) in paragraph (6), by adding before the pe-*  
24 *riod at the end: “, including any activities involving*

1       *supply reduction, demand reduction, or State and*  
2       *local affairs”;*

3           (3) *in paragraph (7)—*

4               (A) *by striking “Agency” and inserting*  
5               *“agency”;*

6               (B) *by striking “National Foreign Intel-*  
7               *ligence Program,” and inserting “National Intel-*  
8               *ligence Program,”; and*

9               (C) *by inserting a comma before “or Tac-*  
10              *tical”;*

11             (4) *in paragraph (9), by striking “implicates”*  
12             *and inserting “indicates”;*

13             (5) *in paragraph (10)—*

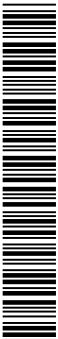
14               (A) *by adding “National Drug Control Pro-*  
15               *gram agencies and” after “among” in subpara-*  
16               *graph (B);*

17               (B) *by striking “and” at the end of sub-*  
18               *paragraph (B);*

19               (C) *by striking the period at the end of sub-*  
20               *paragraph (C) and inserting a semicolon; and*

21               (D) *by adding at the end the following:*

22                   “(D) *domestic drug law enforcement, in-*  
23                   *cluding domestic drug interdiction and law en-*  
24                   *forcement directed at drug users; and*



1           “(E) coordination and enhancement of Fed-  
2           eral, State, and local law enforcement initiatives  
3           to gather, analyze, and disseminate information  
4           and intelligence relating to drug control among  
5           domestic law enforcement agencies.”;

6           (6) in paragraph (11)—

7           (A) by inserting before the semicolon in sub-  
8           paragraph (A) the following: “, including—

9                   “(i) law enforcement outside the  
10                  United States; and

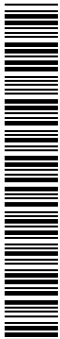
11                   “(ii) source country programs, includ-  
12                  ing economic development programs pri-  
13                  marily intended to reduce the production or  
14                  trafficking of illicit drugs”;

15           (B) by striking subparagraph (B) and in-  
16           serting the following:

17                   “(B) facilitating and enhancing the sharing  
18                  of foreign and domestic information and law en-  
19                  forcement intelligence relating to drug produc-  
20                  tion and trafficking among National Drug Con-  
21                  trol Program agencies, and between those agen-  
22                  cies and foreign law enforcement agencies; and”;

23           (C) by striking “; and” at the end of sub-  
24           paragraph (C) and inserting a period; and

25           (D) by striking subparagraph (D); and



1           (7) *by adding at the end the following:*

2           “(12) *APPROPRIATE CONGRESSIONAL COMMIT-*  
3           *TEES.—Except where otherwise provided, the term*  
4           *‘appropriate congressional committees’ means the*  
5           *Committee on the Judiciary, the Committee on Ap-*  
6           *propriations, and the Caucus on International Nar-*  
7           *cotics Control of the Senate and the Committee on*  
8           *Government Reform, the Committee on the Judiciary,*  
9           *and the Committee on Appropriations of the House of*  
10          *Representatives.*

11          “(13) *LAW ENFORCEMENT.—The term ‘law en-*  
12          *forcement’ or ‘drug law enforcement’ means all efforts*  
13          *by a Federal, State, or local government agency to en-*  
14          *force the drug laws of the United States or any State,*  
15          *including investigation, arrest, prosecution, and in-*  
16          *carceration or other punishments or penalties.”.*

17          (b) *CONFORMING AMENDMENTS.—Section 703(b)(3)*  
18          *(21 U.S.C. 1702(b)(3)) is amended—*

19                 (1) *in subparagraph (A), by striking “(G)” and*  
20                 *inserting “(I)”;* and

21                 (2) *in subparagraph (C)—*

22                         (A) *by striking “through (C)” and inserting*  
23                         *“through (E)”;*

24                         (B) *by striking “and subparagraph (D) of*  
25                         *section 702(11)”;* and



1                   (C) by adding before the period at the end  
2                   the following: “, and sections 707 and 708 of this  
3                   Act”.

4   **SEC. 5. AMENDMENTS RELATING TO ESTABLISHMENT OF**  
5                   **OFFICE OF NATIONAL DRUG CONTROL POL-**  
6                   **ICY AND DESIGNATION OF OFFICERS.**

7           (a) *RESPONSIBILITIES.*—Paragraph (4) of section  
8   703(a) (21 U.S.C. 1702(a)) is amended to read as follows:

9                   “(4) evaluate the effectiveness of the national  
10           drug control policy and the National Drug Control  
11           Program agencies’ programs, by developing and ap-  
12           plying specific goals and performance measure-  
13           ments.”.

14           (b) *RANK OF DIRECTOR.*—Section 703(b) (21 U.S.C.  
15   1702(b)) is amended in paragraph (1) by adding before the  
16   period the following: “, who shall hold the same rank and  
17   status as the head of an executive department listed in sec-  
18   tion 101 of title 5, United States Code”.

19           (c) *DEPUTY DIRECTORS.*—Section 703(b) (21 U.S.C.  
20   1702(b)) is amended in paragraph (3)—

21                   (1) by striking “Office—” and inserting “Office  
22           the following additional Deputy Directors—”; and

23                   (2) in subparagraph (B), by striking “who shall”  
24           and inserting the following: “who shall have substan-  
25           tial experience and expertise in drug interdiction op-

1        *erations and other supply reduction activities, and*  
2        *who shall serve as the United States Interdiction Co-*  
3        *ordinator and”.*

4    **SEC. 6. AMENDMENTS RELATING TO APPOINTMENT AND**  
5                    **DUTIES OF DIRECTOR AND DEPUTY DIREC-**  
6                    **TOR.**

7        (a) *DESIGNATION OF OTHER OFFICERS.*—Section  
8        704(a)(3) (21 U.S.C. 1703(a)(3)) is amended—

9                (1) *by striking “permanent employee” and in-*  
10              *serting “officer or employee”; and*

11              (2) *by striking “serve as the Director” and in-*  
12              *serting “serve as the acting Director”.*

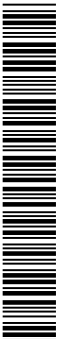
13        (b) *RESPONSIBILITIES OF DIRECTOR.*—Section 704(b)  
14        (21 U.S.C. 1703(b)) is amended—

15              (1) *in paragraph (4), by striking “Federal de-*  
16              *partments and agencies engaged in drug enforce-*  
17              *ment,” and inserting “National Drug Control Pro-*  
18              *gram agencies,”;*

19              (2) *in paragraph (7), by inserting after “Presi-*  
20              *dent” the following: “and the appropriate congres-*  
21              *sional committees”;*

22              (3) *in paragraph (13), by striking “(beginning*  
23              *in 1999)”;*

24              (4) *in paragraph (14)—*





1           (A) by striking “Appropriations” and all  
2           that follows through “Senate” and inserting “ap-  
3           propriate congressional committees”; and

4           (B) by striking “and” after the semicolon at  
5           the end;

6           (5) in paragraph (15), by striking subparagraph  
7           (C) and inserting the following:

8                   “(C) supporting the substance abuse infor-  
9                   mation clearinghouse administered by the Ad-  
10                  ministrators of the Substance Abuse and Mental  
11                  Health Services Administration and established  
12                  in section 501(d)(16) of the Public Health Serv-  
13                  ice Act by—

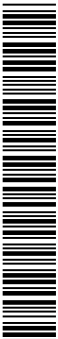
14                   “(i) encouraging all National Drug  
15                   Control Program agencies to provide all ap-  
16                   propriate and relevant information; and

17                   “(ii) supporting the dissemination of  
18                   information to all interested entities;” and

19           (6) by inserting at the end the following:

20                   “(16) shall coordinate with the private sector to  
21                   promote private research and development of medica-  
22                   tions to treat addiction;

23                   “(17) shall seek the support and commitment of  
24                   State and local officials in the formulation and im-  
25                   plementation of the National Drug Control Strategy;



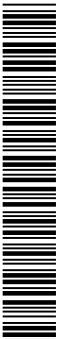
1           “(18) shall monitor and evaluate the allocation  
2           of resources among Federal law enforcement agencies  
3           in response to significant local and regional drug  
4           trafficking and production threats;

5           “(19) shall submit an annual report to Congress  
6           detailing how the Office of National Drug Control  
7           Policy has consulted with and assisted State and local  
8           governments with respect to the formulation and im-  
9           plementation of the National Drug Control Strategy  
10          and other relevant issues; and

11          “(20) shall, within one year after the date of the  
12          enactment of the Office of National Drug Control Pol-  
13          icy Reauthorization Act of 2005, report to Congress  
14          on the impact of each Federal drug reduction strategy  
15          upon the availability, addiction rate, use rate, and  
16          other harms of illegal drugs.”.

17          (c) SUBMISSION OF DRUG CONTROL BUDGET RE-  
18          QUESTS.—Section 704(c)(1) is amended by adding at the  
19          end the following:

20                 “(C) CONTENT OF DRUG CONTROL BUDGET  
21                 REQUESTS.—A drug control budget request sub-  
22                 mitted by a department, agency, or program  
23                 under this paragraph shall include all requests  
24                 for funds for any drug control activity under-  
25                 taken by that department, agency, or program,



1           *including demand reduction, supply reduction,*  
2           *and State and local affairs, including any drug*  
3           *law enforcement activities. If an activity has*  
4           *both drug control and nondrug control purposes*  
5           *or applications, the department, agency, or pro-*  
6           *gram shall estimate by a documented calculation*  
7           *the total funds requested for that activity that*  
8           *would be used for drug control, and shall set*  
9           *forth in its request the basis and method for*  
10          *making the estimate.”.*

11          *(d) NATIONAL DRUG CONTROL BUDGET PROPOSAL.—*  
12          *Section 704(c)(2) is amended in subparagraph (A) by in-*  
13          *serting before the semicolon: “and to inform Congress and*  
14          *the public about the total amount proposed to be spent on*  
15          *all supply reduction, demand reduction, State and local af-*  
16          *fairs, including any drug law enforcement, and other drug*  
17          *control activities by the Federal Government, which shall*  
18          *conform to the content requirements set forth in subpara-*  
19          *graph (C) of paragraph (1) of this subsection”.*

20          *(e) REVIEW AND CERTIFICATION OF NATIONAL DRUG*  
21          *CONTROL PROGRAM BUDGET.—Section 704(c)(3) (21*  
22          *U.S.C. 1703(c)(3)) is amended—*

23                 *(1) by redesignating subparagraphs (C) and (D)*  
24                 *as subparagraphs (D) and (E), respectively;*



1           (2) *by inserting after subparagraph (B) the fol-*  
2           *lowing new subparagraph:*

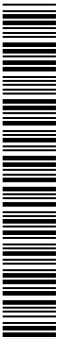
3                   “(C) *SPECIFIC REQUESTS.—The Director*  
4           *shall not confirm the adequacy of any budget re-*  
5           *quest that—*

6                           “(i) *requests funding for Federal law*  
7                           *enforcement activities that do not ade-*  
8                           *quately compensate for transfers of drug en-*  
9                           *forcement resources and personnel to law*  
10                          *enforcement and investigation activities not*  
11                          *related to drug enforcement as determined*  
12                          *by the Director;*

13                           “(ii) *requests funding for law enforce-*  
14                           *ment activities on the borders of the United*  
15                           *States that do not adequately direct re-*  
16                           *sources to drug interdiction and enforce-*  
17                           *ment as determined by the Director;*

18                           “(iii) *requests funding for drug treat-*  
19                           *ment activities that do not provide adequate*  
20                           *result and accountability measures as deter-*  
21                           *mined by the Director;*

22                           “(iv) *requests funding for any activi-*  
23                           *ties of the Safe and Drug Free Schools Pro-*  
24                           *gram that do not include a clear antidrug*

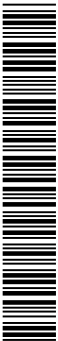


1                   *message or purpose intended to reduce drug*  
2                   *use;*

3                   “(v) requests funding to enforce section  
4                   484(r)(1) of the Higher Education Act of  
5                   1965 (20 U.S.C. 1091(r)(1)) with respect to  
6                   convictions for drug-related offenses not oc-  
7                   curring during a period of enrollment for  
8                   which the student was receiving any Fed-  
9                   eral grant, loan, or work assistance;

10                  “(vi) requests funding for drug treat-  
11                  ment activities that do not adequately sup-  
12                  port and enhance Federal drug treatment  
13                  programs and capacity, as determined by  
14                  the Director;

15                  “(vii) requests funding for fiscal year  
16                  2007 for activities of the Department of  
17                  Education, unless it is accompanied by a  
18                  report setting forth a plan for providing ex-  
19                  pedited consideration of student loan appli-  
20                  cations for all individuals who submitted  
21                  an application for any Federal grant, loan,  
22                  or work assistance that was rejected or de-  
23                  nied pursuant to 484(r)(1) of the Higher  
24                  Education Act of 1965 (20 U.S.C.  
25                  1091(r)(1)) by reason of a conviction for a



1                   *drug-related offense not occurring during a*  
2                   *period of enrollment for which the indi-*  
3                   *vidual was receiving any Federal grant,*  
4                   *loan, or work assistance; and*

5                   “(viii) requests funding for the oper-

6                   *ations and management of the Department*  
7                   *of Homeland Security that does not include*  
8                   *a specific request for funds for the Office of*  
9                   *Counternarcotics Enforcement to carry out*  
10                  *its responsibilities under section 878 of the*  
11                  *Homeland Security Act of 2002 (6 U.S.C.*  
12                  *458).’;*

13                  (3) in subparagraph (D)(iii), as so redesignated,  
14                  by inserting “and the appropriate congressional com-  
15                  mittees” after “House of Representatives”; and

16                  (4) in subparagraph (E)(ii)(II)(bb), as so redes-  
17                  ignated, by inserting “and the appropriate congres-  
18                  sional committees” after “House of Representatives”.

19                  (f) *REPROGRAMMING AND TRANSFER REQUESTS.*—  
20                  Section 704(c)(4)(A) (21 U.S.C. 1703(c)(4)(A)) is amended  
21                  by striking “\$5,000,000” and inserting “\$1,000,000”.

22                  (g) *POWERS OF DIRECTOR.*—Section 704(d) (21  
23                  U.S.C. 1703(d)) is amended—



1           (1) in paragraph (8)(D), by striking “have been  
2           authorized by Congress;” and inserting “authorized  
3           by law;”;

4           (2) in paragraph (9)—

5                 (A) by inserting “notwithstanding any  
6                 other provision of law,” after “(9)”; and

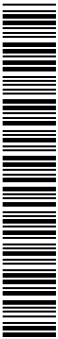
7                 (B) by striking “Strategy; and” and insert-  
8                 ing “Strategy and notify the appropriate con-  
9                 gressional committees of any fund control notice  
10                issued;”;

11           (3) in paragraph (10), by striking “(22 U.S.C.  
12           2291j).” and inserting “(22 U.S.C. 2291j) and section  
13           706 of the Foreign Relations Authorization Act, Fis-  
14           cal Year 2003 (22 U.S.C. 2291j–1); and”; and

15           (4) by adding at the end the following new para-  
16           graph:

17                 “(11) not later than August 1 of each year, sub-  
18                 mit to the President a report, and transmit copies of  
19                 the report to the Secretary of State and the appro-  
20                 priate congressional committees, that—

21                 “(A) provides the Director’s assessment of  
22                 which countries are major drug transit countries  
23                 or major illicit drug producing countries as de-  
24                 fined in section 481(e) of the Foreign Assistance  
25                 Act of 1961 (22 U.S.C. 2291(e));



1           “(B) provides the Director’s assessment of  
2           whether each country identified under subpara-  
3           graph (A) has cooperated fully with the United  
4           States or has taken adequate steps on its own to  
5           achieve full compliance with the goals and objec-  
6           tives established by the United Nations Conven-  
7           tion Against Illicit Traffic in Narcotic Drugs  
8           and Psychotropic Substances and otherwise has  
9           assisted in reducing the supply of illicit drugs to  
10          the United States; and

11          “(C) provides the Director’s assessment of  
12          whether application of procedures set forth in  
13          section 490 of the Foreign Assistance Act of 1961  
14          (22 U.S.C. 2291j), as provided in section 706 of  
15          the Foreign Relations Authorization Act, Fiscal  
16          Year 2003 (22 U.S.C. 2291j–1), is warranted  
17          with respect to countries the Director assesses  
18          have not cooperated fully.”.

19          (g) *FUND CONTROL NOTICES*.—Section 704(f) (21  
20          U.S.C. 1703(f)) is amended by adding at the end the fol-  
21          lowing:

22                 “(4) *CONGRESSIONAL NOTICE*.—A copy of each  
23          fund control notice shall be transmitted to the appro-  
24          priate congressional committees.





1           “(5) *RESTRICTIONS.*—*The Director shall not*  
2           *issue a fund control notice to direct that all or part*  
3           *of an amount appropriated to the National Drug*  
4           *Control Program agency account be obligated, modi-*  
5           *fied, or altered in any manner contrary, in whole or*  
6           *in part, to a specific appropriation or statute.”.*

7           (h) *TECHNICAL AMENDMENTS.*—*Section 704 (21*  
8           *U.S.C. 1703) is amended—*

9                     (1) *in subsection (g)—*

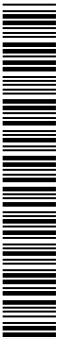
10                       (A) *by striking “National Foreign Intel-*  
11                       *ligence Program” and inserting “National Intel-*  
12                       *ligence Program”; and*

13                       (B) *by inserting a comma before “and Tac-*  
14                       *tical”; and*

15                     (2) *in subsection (h), by striking “Director of*  
16                       *Central Intelligence” and inserting “Director of Na-*  
17                       *tional Intelligence or the Director of the Central Intel-*  
18                       *ligence Agency”.*

19           (i) *REQUIREMENT FOR SOUTH AMERICAN HEROIN*  
20           *STRATEGY.*—

21                     (1) *IN GENERAL.*—*Not later than 90 days after*  
22                       *the date of the enactment of this Act, the Director of*  
23                       *National Drug Control Policy shall submit to the*  
24                       *Congress a comprehensive strategy that addresses the*  
25                       *increased threat from South American heroin, and in*



1       *particular Colombian heroin and the emerging threat*  
2       *from opium poppy grown in Peru and often intended*  
3       *for transit to Columbia for processing into heroin.*

4           (2) *CONTENTS.—The strategy shall include—*

5               (A) *opium eradication efforts to eliminate*  
6               *the problem at the source to prevent heroin from*  
7               *entering the stream of commerce;*

8               (B) *interdiction and precursor chemical*  
9               *controls;*

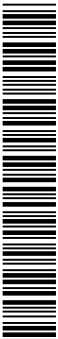
10              (C) *demand reduction and treatment;*

11              (D) *alternative development programs, in-*  
12              *cluding direct assistance to regional governments*  
13              *to demobilize and provide alternative livelihoods*  
14              *to former members of insurgent or other groups*  
15              *engaged in heroin, coca, or other illicit drug pro-*  
16              *duction or trafficking;*

17              (E) *efforts to inform and involve local citi-*  
18              *zens in the programs described in subparagraphs*  
19              *(A) through (D), such as through leaflets adver-*  
20              *tising rewards for information;*

21              (F) *provisions that ensure the maintenance*  
22              *at current levels of efforts to eradicate coca in*  
23              *Colombia; and*

24              (G) *assessment of the specific level of fund-*  
25              *ing and resources necessary to simultaneously*



1           *address the threat from South American heroin*  
2           *and the threat from Colombian and Peruvian*  
3           *coca.*

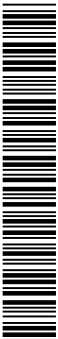
4           (3) *TREATMENT OF CLASSIFIED OR LAW EN-*  
5           *FORCEMENT SENSITIVE INFORMATION.—Any content*  
6           *of the strategy that involves information classified*  
7           *under criteria established by an Executive order, or*  
8           *whose public disclosure, as determined by the Director*  
9           *or the head of any relevant Federal agency, would be*  
10          *detrimental to the law enforcement or national secu-*  
11          *rity activities of any Federal, foreign, or inter-*  
12          *national agency, shall be presented to Congress sepa-*  
13          *rately from the rest of the strategy.*

14          (j) *REQUIREMENT FOR AFGHAN HEROIN STRATEGY.—*

15               (1) *IN GENERAL.—Not later than 90 days after*  
16               *the date of the enactment of this Act, the Director of*  
17               *the Office of National Drug Control Policy shall sub-*  
18               *mit to the Congress a comprehensive strategy that ad-*  
19               *dresses the increased threat from Afghan heroin.*

20               (2) *CONTENTS.—The strategy shall include—*

21                       (A) *opium crop eradication efforts to elimi-*  
22                       *nate the problem at the source to prevent heroin*  
23                       *from entering the stream of commerce;*



1                   (B) *destruction or other direct elimination*  
2                   *of stockpiles of heroin and raw opium, and her-*  
3                   *oin production and storage facilities;*

4                   (C) *interdiction and precursor chemical*  
5                   *controls;*

6                   (D) *demand reduction and treatment;*

7                   (E) *alternative development programs;*

8                   (F) *measures to improve cooperation and*  
9                   *coordination between Federal Government agen-*  
10                   *cies, and between such agencies, agencies of for-*  
11                   *oreign governments, and international organiza-*  
12                   *tions with responsibility for the prevention of*  
13                   *heroin production in, or trafficking out of, Af-*  
14                   *ghanistan; and*

15                   (G) *an assessment of the specific level of*  
16                   *funding and resources necessary significantly to*  
17                   *reduce the production and trafficking of heroin.*

18                   (3) *TREATMENT OF CLASSIFIED OR LAW EN-*  
19                   *FORCEMENT SENSITIVE INFORMATION.—Any content*  
20                   *of the strategy that involves information classified*  
21                   *under criteria established by an Executive order, or*  
22                   *whose public disclosure, as determined by the Director*  
23                   *or the head of any relevant Federal agency, would be*  
24                   *detrimental to the law enforcement or national secu-*  
25                   *rity activities of any Federal, foreign, or inter-*

1        *national agency, shall be presented to Congress sepa-*  
2        *rately from the rest of the strategy.*

3        *(k) REQUIREMENT FOR GENERAL COUNTERDRUG IN-*  
4        *TELLIGENCE PLAN.—*

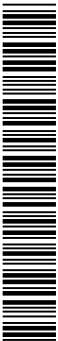
5                *(1) IN GENERAL.—Not later than 120 days after*  
6        *the date of enactment of this Act, and not later than*  
7        *every two years thereafter, the Director of the Office*  
8        *of National Drug Control Policy, with the concur-*  
9        *rence of the Director of National Intelligence, shall*  
10       *submit to the appropriate congressional committees, a*  
11       *general counterdrug intelligence plan to improve co-*  
12       *ordination, and eliminate unnecessary duplication,*  
13       *among the counterdrug intelligence centers and infor-*  
14       *mation sharing systems, and counterdrug activities of*  
15       *the Federal Government, including the centers, sys-*  
16       *tems, and activities of the following departments and*  
17       *agencies:*

18                *(A) The Department of Defense, including*  
19        *the Defense Intelligence Agency, and the joint*  
20        *interagency task forces.*

21                *(B) The Department of the Treasury, in-*  
22        *cluding the Financial Crimes Enforcement Net-*  
23        *work (FinCEN).*

24                *(C) The Central Intelligence Agency.*

25                *(D) The National Security Agency.*



1                   (E) *The Department of Homeland Security,*  
2                   *including the United States Coast Guard, the bu-*  
3                   *reau of Customs and Border Protection, and the*  
4                   *bureau of Immigration and Customs Enforce-*  
5                   *ment.*

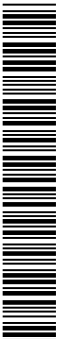
6                   (F) *The Department of Justice, including*  
7                   *the National Drug Intelligence Center (NDIC);*  
8                   *the Drug Enforcement Administration, including*  
9                   *the El Paso Intelligence Center (EPIC); the Fed-*  
10                  *eral Bureau of Investigation; the Organized*  
11                  *Crime Drug Enforcement Task Force; and the*  
12                  *Regional Information Sharing System.*

13                  (G) *The Office of National Drug Control*  
14                  *Policy, including the High Intensity Drug Traf-*  
15                  *ficking Areas Program.*

16                  (H) *The Counterdrug Intelligence Executive*  
17                  *Secretariat.*

18                  (2) *PURPOSE.—The purpose of the plan under*  
19                  *paragraph (1) is to maximize the effectiveness of the*  
20                  *centers and activities referred to in that paragraph in*  
21                  *achieving the objectives of the National Drug Control*  
22                  *Strategy promulgated under 21 U.S.C. 1705. In order*  
23                  *to maximize such effectiveness, the plan shall—*

24                         (A) *articulate clear and specific mission*  
25                         *statements (including purpose and scope of ac-*



1           *tivity) for each counterdrug intelligence center,*  
2           *system, and activity, including the manner in*  
3           *which responsibility for counterdrug intelligence*  
4           *activities will be allocated among the*  
5           *counterdrug intelligence centers and systems;*

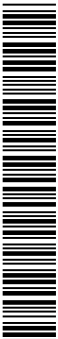
6           *(B) specify each government agency (wheth-*  
7           *er Federal, State, or local) that participates in*  
8           *each such center, system, and activity, including*  
9           *a description of the extent and nature of that*  
10          *participation;*

11          *(C) specify the relationship between such*  
12          *centers, systems, and activities;*

13          *(D) specify the means by which proper over-*  
14          *sight of such centers, systems, and activities will*  
15          *be assured;*

16          *(E) specify the means by which counterdrug*  
17          *intelligence and information will be forwarded*  
18          *effectively to all levels of officials responsible for*  
19          *United States counterdrug policy; and*

20          *(F) specify mechanisms to ensure that State*  
21          *and local law enforcement agencies are apprised*  
22          *of counterdrug intelligence and information ac-*  
23          *quired by Federal law enforcement agencies in a*  
24          *manner which—*



1                   (i) facilitates effective counterdrug ac-  
2                   tivities by State and local law enforcement  
3                   agencies; and

4                   (ii) provides such State and local law  
5                   enforcement agencies with the information  
6                   relating to the safety of officials involved in  
7                   their counterdrug activities.

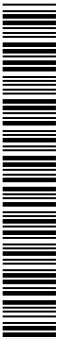
8           (3) DEFINITIONS.—As used in this subsection—

9                   (A) the term “center” refers to any center,  
10                  office, task force, or other coordinating organiza-  
11                  tion engaged in counterdrug intelligence or infor-  
12                  mation analyzing or sharing activities;

13                  (B) the term “system” refers to any comput-  
14                  erized database or other electronic system used  
15                  for counterdrug intelligence or information ana-  
16                  lyzing or sharing activities; and

17                  (C) the term “appropriate congressional  
18                  committees” means the following:

19                         (i) The Committee on Appropriations,  
20                         the Committee on Foreign Relations, the  
21                         Committee on the Judiciary, the Committee  
22                         on Homeland Security and Governmental  
23                         Affairs, the Caucus on International Nar-  
24                         cotics Control, and the Select Committee on  
25                         Intelligence of the Senate.





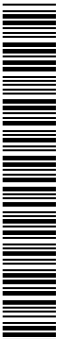
1                   (ii) *The Committee on Appropriations,*  
2                   *the Committee on International Relations,*  
3                   *the Committee on the Judiciary, the Com-*  
4                   *mittee on Government Reform, the Com-*  
5                   *mittee on Homeland Security, and the Per-*  
6                   *manent Select Committee on Intelligence of*  
7                   *the House of Representatives.*

8                   (4) *LIMITATION.—The general counterdrug intel-*  
9                   *ligence plan shall not—*

10                   (A) *change existing agency authorities or*  
11                   *the laws governing interagency relationships, but*  
12                   *may include recommendations about changes to*  
13                   *such authorities or laws; or*

14                   (B) *include any information about specific*  
15                   *methods of obtaining, or sources of, intelligence*  
16                   *or information, or any information about spe-*  
17                   *cific individuals, cases, investigations, or oper-*  
18                   *ations.*

19                   (5) *CLASSIFIED OR LAW ENFORCEMENT SEN-*  
20                   *SITIVE INFORMATION.—Any content of the general*  
21                   *counterdrug intelligence plan that involves informa-*  
22                   *tion classified under criteria established by an Execu-*  
23                   *tive order, or whose public disclosure, as determined*  
24                   *by the Director of the Office of National Drug Control*  
25                   *Policy, the Director of National Intelligence, or the*



1       *head of any Federal Government agency whose activi-*  
2       *ties are described in the plan, would be detrimental*  
3       *to the law enforcement or national security activities*  
4       *of any Federal, State, or local agency, shall be pre-*  
5       *sented to Congress separately from the rest of the re-*  
6       *port.*

7       *(l) REQUIREMENT FOR SOUTHWEST BORDER COUN-*  
8       *TERNARCOTICS STRATEGY.—*

9               *(1) IN GENERAL.—Not later than 120 days after*  
10       *the date of enactment of this Act, and every two years*  
11       *thereafter, the Director of National Drug Control Pol-*  
12       *icy shall submit to the Congress a Southwest Border*  
13       *Counternarcotics Strategy.*

14              *(2) PURPOSES.—The Southwest Border Counter-*  
15       *narcotics Strategy shall—*

16                   *(A) set forth the Government's strategy for*  
17       *preventing the illegal trafficking of drugs across*  
18       *the international border between the United*  
19       *States and Mexico, including through ports of*  
20       *entry and between ports of entry on that border;*

21                   *(B) state the specific roles and responsibil-*  
22       *ities of the relevant National Drug Control Pro-*  
23       *gram agencies (as defined in section 702 of the*  
24       *Office of National Drug Control Policy Reau-*



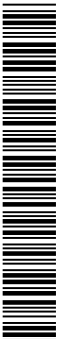
1           *thorization Act of 1998 (21 U.S.C. 1701)) for*  
2           *implementing that strategy; and*

3           *(C) identify the specific resources required*  
4           *to enable the relevant National Drug Control*  
5           *Program agencies to implement that strategy.*

6           *(3) CONSULTATION WITH OTHER AGENCIES.—*  
7           *The Director shall issue the Southwest Border Coun-*  
8           *ternarcotics Strategy in consultation with the heads*  
9           *of the relevant National Drug Control Program agen-*  
10          *cies.*

11          *(4) LIMITATION.—The Southwest Border Coun-*  
12          *ternarcotics Strategy shall not change existing agency*  
13          *authorities or the laws governing interagency rela-*  
14          *tionships, but may include recommendations about*  
15          *changes to such authorities or laws.*

16          *(5) REPORT TO CONGRESS.—The Director shall*  
17          *provide a copy of the Southwest Border Counter-*  
18          *narcotics Strategy to the appropriate congressional*  
19          *committees (as defined in section 702 of the Office of*  
20          *National Drug Control Policy Reauthorization Act of*  
21          *1998 (21 U.S.C. 1701)), and to the Committee on*  
22          *Armed Services and the Committee on Homeland Se-*  
23          *curity of the House of Representatives, and the Com-*  
24          *mittee on Homeland Security and Governmental Af-*



1       *fairs and the Committee on Armed Services of the*  
2       *Senate.*

3               (6) *TREATMENT OF CLASSIFIED OR LAW EN-*  
4       *FORCEMENT SENSITIVE INFORMATION.—Any content*  
5       *of the Southwest Border Counternarcotics Strategy*  
6       *that involves information classified under criteria es-*  
7       *tablished by an Executive order, or whose public dis-*  
8       *closure, as determined by the Director or the head of*  
9       *any relevant National Drug Control Program agency,*  
10       *would be detrimental to the law enforcement or na-*  
11       *tional security activities of any Federal, State, or*  
12       *local agency, shall be presented to Congress separately*  
13       *from the rest of the strategy.*

14              (m) *REQUIREMENT FOR SCIENTIFIC STUDY OF*  
15       *MYCOHERBICIDE IN ILLICIT DRUG CROP ERADICATION.—*  
16       *Not later than 90 days after the date of enactment of this*  
17       *Act, the Director of the Office of National Drug Control Pol-*  
18       *icy shall submit to the Congress a report that includes a*  
19       *plan to conduct, on an expedited basis, a scientific study*  
20       *of the use of mycoherbicide as a means of illicit drug crop*  
21       *elimination by an appropriate Government scientific re-*  
22       *search entity, including a complete and thorough scientific*  
23       *peer review. The study shall include an evaluation of the*  
24       *likely human health and environmental impacts of such use.*  
25       *The report shall also include a plan to conduct controlled*

1 *scientific testing in a major drug producing nation of*  
2 *mycoherbicide naturally existing in the producing nation.*

3 **SEC. 7. AMENDMENTS RELATING TO COORDINATION WITH**  
4 **OTHER AGENCIES.**

5 *Section 705 (21 U.S.C. 1704) is amended—*

6 *(1) in subsection (a)(1)(A), by striking “abuse”;*

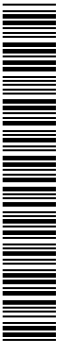
7 *(2) in subsection (a)(2)(A), by striking “Director*  
8 *of Central Intelligence” and inserting “Director of*  
9 *National Intelligence”;*

10 *(3) in subsection (a)(2)(B), by striking “Director*  
11 *of Central Intelligence” and inserting “Director of*  
12 *National Intelligence and the Director of the Central*  
13 *Intelligence Agency”;*

14 *(4) by amending paragraph (3) of subsection (a)*  
15 *to read as follows:*

16 *“(3) REQUIRED REPORTS.—*

17 *“(A) SECRETARIES OF THE INTERIOR AND*  
18 *AGRICULTURE.—The Secretaries of Agriculture*  
19 *and Interior shall, by July 1 of each year, joint-*  
20 *ly submit to the Director, the appropriate con-*  
21 *gressional committees, the Committee on Agri-*  
22 *culture and the Committee on Resources of the*  
23 *House of Representatives, and the Committee on*  
24 *Agriculture and the Committee on Energy and*  
25 *Natural Resources of the Senate, an assessment*



1           *of the quantity of illegal drug cultivation and*  
2           *manufacturing in the United States on lands*  
3           *owned or under the jurisdiction of the Federal*  
4           *Government for the preceding year.*

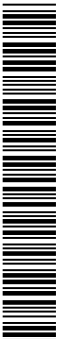
5           “(B) *ATTORNEY GENERAL.—The Attorney*  
6           *General shall, by July 1 of each year, submit to*  
7           *the Director and the appropriate congressional*  
8           *committees information for the preceding year*  
9           *regarding the number and type of—*

10                   “(i) *arrests for drug violations;*

11                   “(ii) *prosecutions for drug violations*  
12                   *by United States Attorneys; and*

13                   “(iii) *seizures of drugs by each compo-*  
14                   *nent of the Department of Justice seizing*  
15                   *drugs, as well as statistical information on*  
16                   *the geographic areas of such seizures.*

17           “(C) *SECRETARY OF HOMELAND SECU-*  
18           *RITY.—The Secretary of Homeland Security*  
19           *shall, by July 1 of each year, submit to the Di-*  
20           *rector, the appropriate congressional committees,*  
21           *and the Committee on Homeland Security of the*  
22           *House of Representatives, and the Committee on*  
23           *Homeland Security and Governmental Affairs of*  
24           *the Senate, information for the preceding year*  
25           *regarding—*



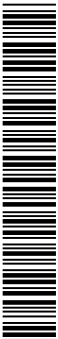
1                   “(i) the number and type of seizures of  
2                   drugs by each component of the Department  
3                   of Homeland Security seizing drugs, as well  
4                   as statistical information on the geographic  
5                   areas of such seizures; and

6                   “(ii) the number of air and maritime  
7                   patrol hours undertaken by each component  
8                   of that Department primarily dedicated to  
9                   drug supply reduction missions.

10                  “(D) SECRETARY OF DEFENSE.—The Sec-  
11                  retary of Defense shall, by July 1 of each year,  
12                  submit to the Director, the appropriate congres-  
13                  sional committees, the Committee on Armed  
14                  Services of the House of Representatives, and the  
15                  Committee on Armed Services of the Senate, in-  
16                  formation for the preceding year regarding the  
17                  number of air and maritime patrol hours pri-  
18                  marily dedicated to drug supply reduction mis-  
19                  sions undertaken by each component of the De-  
20                  partment of Defense.”;

21                  (5) in subsection (b)(2)(B), by striking “Pro-  
22                  gram.” and inserting “Strategy.”; and

23                  (6) in subsection (c), by striking “in” and in-  
24                  serting “on”.



1 **SEC. 8. DEVELOPMENT, SUBMISSION, IMPLEMENTATION,**  
2 **AND ASSESSMENT OF NATIONAL DRUG CON-**  
3 **TROL STRATEGY.**

4 *Section 706 (21 U.S.C. 1705) is amended to read as*  
5 *follows:*

6 **“SEC. 706. DEVELOPMENT, SUBMISSION, IMPLEMENTATION,**  
7 **AND ASSESSMENT OF NATIONAL DRUG CON-**  
8 **TROL STRATEGY.**

9 *“(a) TIMING, CONTENTS, AND PROCESS FOR DEVELOP-*  
10 *MENT AND SUBMISSION OF NATIONAL DRUG CONTROL*  
11 *STRATEGY.—*

12 *“(1) IN GENERAL.—Not later than February 1 of*  
13 *each year, the President shall submit to Congress a*  
14 *National Drug Control Strategy, which shall set forth*  
15 *a comprehensive plan for reducing illicit drug use*  
16 *and the consequences of illicit drug use in the United*  
17 *States by reducing the demand for illegal drugs, lim-*  
18 *iting the availability of illegal drugs, and conducting*  
19 *law enforcement activities with respect to illegal*  
20 *drugs.*

21 *“(2) CONTENTS.—*

22 *“(A) IN GENERAL.—The National Drug*  
23 *Control Strategy submitted under paragraph (1)*  
24 *shall include the following:*

25 *“(i) Comprehensive, research-based,*  
26 *long-range, and quantifiable goals for re-*



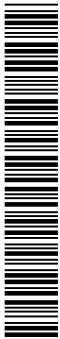
1                    *ducing illicit drug use and the consequences*  
2                    *of illicit drug use in the United States.*

3                    “(ii) *Annual quantifiable objectives for*  
4                    *demand reduction, supply reduction, and*  
5                    *law enforcement activities, specific targets*  
6                    *to accomplish long-range quantifiable reduc-*  
7                    *tion in illicit drug use as determined by the*  
8                    *Director, and specific measurements to*  
9                    *evaluate progress toward the targets and*  
10                   *strategic goals.*

11                   “(iii) *A strategy to reduce the avail-*  
12                   *ability and purity of illegal drugs and the*  
13                   *level of drug-related crime in the United*  
14                   *States.*

15                   “(iv) *An assessment of Federal effec-*  
16                   *tiveness in achieving the National Drug*  
17                   *Control Strategy for the previous year, in-*  
18                   *cluding a specific evaluation of whether the*  
19                   *objectives and targets for reducing illicit*  
20                   *drug use for the previous year were met and*  
21                   *reasons for the success or failure of the pre-*  
22                   *vious year’s Strategy.*

23                   “(v) *A general review of the status of,*  
24                   *and trends in, international, State, and*  
25                   *local drug control activities to ensure that*

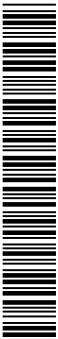


1           *the United States pursues well-coordinated*  
2           *and effective drug control at all levels of*  
3           *government.*

4           “(vi) *A general review of the status of,*  
5           *and trends in, demand reduction activities*  
6           *by private sector entities and community-*  
7           *based organizations, including faith-based*  
8           *organizations, to determine their effective-*  
9           *ness and the extent of cooperation, coordina-*  
10          *tion, and mutual support between such enti-*  
11          *ties and organizations and Federal, State,*  
12          *and local government agencies.*

13          “(vii) *An assessment of current illicit*  
14          *drug use (including inhalants and steroids)*  
15          *and availability, impact of illicit drug use,*  
16          *and treatment availability, which assess-*  
17          *ment shall include—*

18                 “(I) *estimates of drug prevalence*  
19                 *and frequency of use as measured by*  
20                 *national, State, and local surveys of il-*  
21                 *licit drug use and by other special*  
22                 *studies of nondependent and dependent*  
23                 *illicit drug use;*



1                   “(II) *illicit drug use in the work-*  
2                   *place and the productivity lost by such*  
3                   *use; and*

4                   “(III) *illicit drug use by arrestees,*  
5                   *probationers, and parolees.*

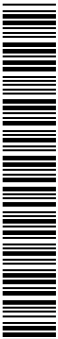
6                   “(viii) *An assessment of the reduction*  
7                   *of illicit drug availability, as measured*  
8                   *by—*

9                   “(I) *the quantities of cocaine, her-*  
10                  *oin, marijuana, methamphetamine, ec-*  
11                  *stasy, and other drugs available for*  
12                  *consumption in the United States;*

13                  “(II) *the amount of marijuana,*  
14                  *cocaine, heroin, methamphetamine, ec-*  
15                  *stasy, and precursor chemicals and*  
16                  *other drugs entering the United States;*

17                  “(III) *the number of illicit drug*  
18                  *manufacturing laboratories seized and*  
19                  *destroyed and the number of hectares of*  
20                  *marijuana, poppy, and coca cultivated*  
21                  *and destroyed domestically and in*  
22                  *other countries;*

23                  “(IV) *the number of metric tons of*  
24                  *marijuana, heroin, cocaine, and meth-*



1                   *amphetamine seized and other drugs;*  
2                   *and*

3                   “(V) *changes in the price and pu-*  
4                   *urity of heroin, methamphetamine, and*  
5                   *cocaine, changes in the price of ecstasy,*  
6                   *and changes in tetrahydrocannabinol*  
7                   *level of marijuana and other drugs.*

8                   “(ix) *An assessment of the reduction of*  
9                   *the consequences of illicit drug use and*  
10                  *availability, which shall include—*

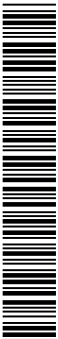
11                  “(I) *the burden illicit drug users*  
12                  *place on hospital emergency depart-*  
13                  *ments in the United States, such as the*  
14                  *quantity of illicit drug-related services*  
15                  *provided;*

16                  “(II) *the annual national health*  
17                  *care cost of illicit drug use; and*

18                  “(III) *the extent of illicit drug-re-*  
19                  *lated crime and criminal activity.*

20                  “(x) *A general review of the status of,*  
21                  *and trends in, of drug treatment in the*  
22                  *United States, by assessing—*

23                  “(I) *public and private treatment*  
24                  *utilization; and*



1                   “(II) the number of illicit drug  
2                   users the Director estimates meet diag-  
3                   nostic criteria for treatment.

4                   “(xi) A review of the research agenda  
5                   of the Counterdrug Technology Assessment  
6                   Center to reduce the availability and abuse  
7                   of drugs.

8                   “(xii) A summary of the efforts made  
9                   by Federal agencies to coordinate with pri-  
10                  vate sector entities to conduct private re-  
11                  search and development of medications to  
12                  treat addiction by—

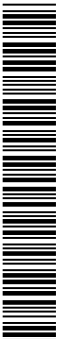
13                   “(I) screening chemicals for poten-  
14                   tial therapeutic value;

15                   “(II) developing promising com-  
16                   pounds;

17                   “(III) conducting clinical trials;

18                   “(IV) seeking, where appropriate,  
19                   Food and Drug Administration ap-  
20                   proval for drugs to treat addiction;

21                   “(V) marketing, where appro-  
22                   priate, the drug for the treatment of  
23                   addiction;

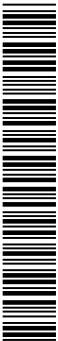


1                   “(VI) urging physicians, where  
2                   appropriate, to use the drug in the  
3                   treatment of addiction; and

4                   “(VII) encouraging, where appro-  
5                   priate, insurance companies to reim-  
6                   burse the cost of the drug for the treat-  
7                   ment of addiction.

8                   “(xiii) Such additional statistical data  
9                   and information as the Director considers  
10                  appropriate to demonstrate and assess  
11                  trends relating to illicit drug use, the effects  
12                  and consequences of illicit drug use, supply  
13                  reduction, demand reduction, drug-related  
14                  law enforcement, and the implementation of  
15                  the National Drug Control Strategy.

16                  “(xiv) A supplement reviewing the ac-  
17                  tivities of each individual National Drug  
18                  Control Program agency during the pre-  
19                  vious year with respect to the National  
20                  Drug Control Strategy and the Director’s  
21                  assessment of the progress of each National  
22                  Drug Control Program agency in meeting  
23                  its responsibilities under the National Drug  
24                  Control Strategy.



1           “(B) *CLASSIFIED INFORMATION.*—Any con-  
2           *tents of the National Drug Control Strategy that*  
3           *involve information properly classified under*  
4           *criteria established by an Executive order shall*  
5           *be presented to Congress separately from the rest*  
6           *of the National Drug Control Strategy.*

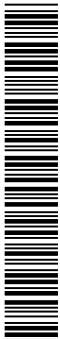
7           “(C) *SELECTION OF DATA AND INFORMA-*  
8           *TION.*—In selecting data and information for in-  
9           *clusion under subparagraph (A), the Director*  
10          *shall ensure—*

11               “(i) *the inclusion of data and informa-*  
12               *tion that will permit analysis of current*  
13               *trends against previously compiled data*  
14               *and information where the Director believes*  
15               *such analysis enhances long-term assessment*  
16               *of the National Drug Control Strategy; and*

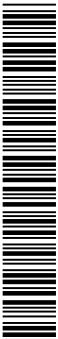
17               “(ii) *the inclusion of data and infor-*  
18               *mation to permit a standardized and uni-*  
19               *form assessment of the effectiveness of drug*  
20               *treatment programs in the United States.*

21           “(3) *PROCESS FOR DEVELOPMENT AND SUBMIS-*  
22           *SION.*—

23               “(A) *CONSULTATION.*—In developing and  
24               *effectively implementing the National Drug Con-*  
25               *trol Strategy, the Director—*



1 “(i) shall consult with—  
2 “(I) the heads of the National  
3 Drug Control Program agencies;  
4 “(II) Congress;  
5 “(III) State and local officials;  
6 “(IV) private citizens and organi-  
7 zations, including community- and  
8 faith-based organizations, with experi-  
9 ence and expertise in demand reduc-  
10 tion;  
11 “(V) private citizens and organi-  
12 zations with experience and expertise  
13 in supply reduction;  
14 “(VI) private citizens and organi-  
15 zations with experience and expertise  
16 in law enforcement; and  
17 “(VII) appropriate representatives  
18 of foreign governments;  
19 “(ii) with the concurrence of the Attor-  
20 ney General, may require the El Paso Intel-  
21 ligence Center to undertake specific tasks or  
22 projects to implement the National Drug  
23 Control Strategy;  
24 “(iii) with the concurrence of the Di-  
25 rector of National Intelligence and the At-





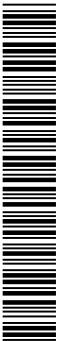
1            *torney General, may request that the Na-*  
2            *tional Drug Intelligence Center undertake*  
3            *specific tasks or projects to implement the*  
4            *National Drug Control Strategy; and*

5            *“(iv) may make recommendations to*  
6            *the Secretary of Health and Human Serv-*  
7            *ices on research that supports or advances*  
8            *the National Drug Control Strategy.*

9            *“(B) COMMITMENT TO SUPPORT STRAT-*  
10          *EGY.—In satisfying the requirements of subpara-*  
11          *graph (A)(i), the Director shall ensure, to the*  
12          *maximum extent possible, that State and local*  
13          *officials and relevant private organizations com-*  
14          *mit to support and take steps to achieve the*  
15          *goals and objectives of the National Drug Control*  
16          *Strategy.*

17          *“(C) RECOMMENDATIONS.—Recommendations*  
18          *under subparagraph (A)(iv) may include*  
19          *recommendations of research to be performed at*  
20          *the National Institutes of Health, including the*  
21          *National Institute on Drug Abuse, or any other*  
22          *appropriate agency within the Department of*  
23          *Health and Human Services.*

24          *“(D) INCLUSION IN STRATEGY.—The Na-*  
25          *tional Drug Control Strategy under this sub-*



1           *section shall include a list of each entity con-*  
2           *sulted under subparagraph (A)(i).*

3           “(4) *SUBMISSION OF REVISED STRATEGY.—The*  
4           *President may submit to Congress a revised National*  
5           *Drug Control Strategy that meets the requirements of*  
6           *this section—*

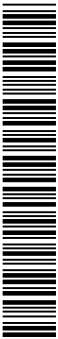
7                   “(A) *at any time, upon a determination by*  
8                   *the President, in consultation with the Director,*  
9                   *that the National Drug Control Strategy in effect*  
10                  *is not sufficiently effective; or*

11                  “(B) *if a new President or Director takes*  
12                  *office.*

13           “(b) *PERFORMANCE MEASUREMENT SYSTEM.—Not*  
14           *later than February 1 of each year, the Director shall sub-*  
15           *mit to Congress, as part of the National Drug Control*  
16           *Strategy, a description of a national drug control perform-*  
17           *ance measurement system that—*

18                   “(1) *develops 2-year and 5-year performance*  
19                   *measures and targets for each National Drug Control*  
20                   *Strategy goal and objective established for reducing*  
21                   *drug use, drug availability, and the consequences of*  
22                   *drug use;*

23                   “(2) *describes the sources of information and*  
24                   *data that will be used for each performance measure*



1        *incorporated into the performance measurement sys-*  
2        *tem;*

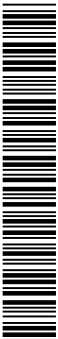
3            *“(3) identifies major programs and activities of*  
4        *the National Drug Control Program agencies that*  
5        *support the goals and annual objectives of the Na-*  
6        *tional Drug Control Strategy;*

7            *“(4) evaluates the contribution of demand reduc-*  
8        *tion and supply reduction activities implemented by*  
9        *each National Drug Control Program agency in sup-*  
10       *port of the National Drug Control Strategy;*

11           *“(5) monitors consistency of drug-related goals*  
12       *and objectives among the National Drug Control Pro-*  
13       *gram agencies and ensures that each agency’s goals,*  
14       *objectives, and budgets support and are fully con-*  
15       *sistent with the National Drug Control Strategy; and*

16           *“(6) coordinates the development and implemen-*  
17       *tation of national drug control data collection and re-*  
18       *porting systems to support policy formulation and*  
19       *performance measurement, including an assessment*  
20       *of—*

21           *“(A) the quality of current drug use meas-*  
22       *urement instruments and techniques to measure*  
23       *supply reduction and demand reduction activi-*  
24       *ties;*



1           “(B) the adequacy of the coverage of exist-  
2           ing national drug use measurement instruments  
3           and techniques to measure the illicit drug user  
4           population, and groups that are at risk for illicit  
5           drug use; and

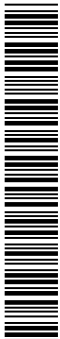
6           “(C) the adequacy of the coverage of existing  
7           national treatment outcome monitoring systems  
8           to measure the effectiveness of drug abuse treat-  
9           ment in reducing illicit drug use and criminal  
10          behavior during and after the completion of sub-  
11          stance abuse treatment; and

12          “(7) identifies the actions the Director shall take  
13          to correct any inadequacies, deficiencies, or limita-  
14          tions identified in the assessment described in para-  
15          graph (6).

16          “(c) MODIFICATIONS.—A description of any modifica-  
17          tions made during the preceding year to the national drug  
18          performance measurement system described in subsection  
19          (b) shall be included in each report submitted under sub-  
20          section (a).”.

21   **SEC. 9. HIGH INTENSITY DRUG TRAFFICKING AREAS PRO-**  
22                   **GRAM.**

23          Section 707 (21 U.S.C. 1706) is amended to read as  
24          follows:



1   **“SEC. 707. HIGH INTENSITY DRUG TRAFFICKING AREAS**  
2                   **PROGRAM.**

3           “(a) *ESTABLISHMENT.*—

4                   “(1) *IN GENERAL.*—*There is established in the*  
5           *Office a program to be known as the High Intensity*  
6           *Drug Trafficking Areas Program (in this section re-*  
7           *ferred to as the ‘Program’).*

8                   “(2) *PURPOSE.*—*The purpose of the Program is*  
9           *to reduce drug trafficking and drug production in the*  
10          *United States by—*

11                   “(A) *facilitating cooperation among Fed-*  
12           *eral, State, and local law enforcement agencies to*  
13           *share information and implement coordinated*  
14           *enforcement activities;*

15                   “(B) *enhancing intelligence sharing among*  
16           *Federal, State, and local law enforcement agen-*  
17           *cies;*

18                   “(C) *providing reliable intelligence to law*  
19           *enforcement agencies needed to design effective*  
20           *enforcement strategies and operations; and*

21                   “(D) *supporting coordinated law enforce-*  
22           *ment strategies which maximize use of available*  
23           *resources to reduce the supply of illegal drugs in*  
24           *designated areas and in the United States as a*  
25           *whole.*



1       “(b) *DESIGNATION.*—*The Director, upon consultation*  
2 *with the Attorney General, the Secretary of the Treasury,*  
3 *the Secretary of Homeland Security, heads of the National*  
4 *Drug Control Program agencies, and the Governor of each*  
5 *applicable State, may designate any specified area of the*  
6 *United States as a high intensity drug trafficking area.*  
7 *After making such a designation and in order to provide*  
8 *Federal assistance to the area so designated, the Director*  
9 *may—*

10               “(1) *obligate such sums as are appropriated for*  
11 *the Program;*

12               “(2) *direct the temporary reassignment of Fed-*  
13 *eral personnel to such area, subject to the approval of*  
14 *the head of the department or agency that employs*  
15 *such personnel;*

16               “(3) *take any other action authorized under sec-*  
17 *tion 704 to provide increased Federal assistance to*  
18 *those areas; and*

19               “(4) *coordinate activities under this section (spe-*  
20 *cifically administrative, recordkeeping, and funds*  
21 *management activities) with State and local officials.*

22       “(c) *PETITIONS FOR DESIGNATION.*—*The Director*  
23 *shall establish regulations under which a coalition of inter-*  
24 *ested law enforcement agencies from an area may petition*  
25 *for designation as a high intensity drug trafficking area.*

1 *Such regulations shall provide for a regular review by the*  
2 *Director of the petition, including a recommendation re-*  
3 *garding the merit of the petition to the Director by a panel*  
4 *of qualified, independent experts.*

5 “(d) *FACTORS FOR CONSIDERATION.—In considering*  
6 *whether to designate an area under this section as a high*  
7 *intensity drug trafficking area, the Director shall consider,*  
8 *in addition to such other criteria as the Director considers*  
9 *to be appropriate, the extent to which—*

10 “(1) *the area is a significant center of illegal*  
11 *drug production, manufacturing, importation, or dis-*  
12 *tribution;*

13 “(2) *State and local law enforcement agencies*  
14 *have committed resources to respond to the drug traf-*  
15 *ficking problem in the area, thereby indicating a de-*  
16 *termination to respond aggressively to the problem;*

17 “(3) *drug-related activities in the area are hav-*  
18 *ing a significant harmful impact in the area, and in*  
19 *other areas of the country; and*

20 “(4) *a significant increase in allocation of Fed-*  
21 *eral resources is necessary to respond adequately to*  
22 *drug-related activities in the area.*

23 “(e) *ORGANIZATION OF HIGH INTENSITY DRUG TRAF-*  
24 *FICKING AREAS.—*



1           “(1) *EXECUTIVE BOARD AND OFFICERS.*—*To be*  
2           *eligible for funds appropriated under this section,*  
3           *each high intensity drug trafficking area shall be gov-*  
4           *erned by an Executive Board. The Executive Board*  
5           *shall designate a chairman, vice chairman, and any*  
6           *other officers to the Executive Board that it deter-*  
7           *mines are necessary.*

8           “(2) *RESPONSIBILITIES.*—*The Executive Board*  
9           *of a high intensity drug trafficking area shall be re-*  
10          *sponsible for—*

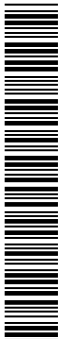
11               “(A) *providing direction and oversight in*  
12               *establishing and achieving the goals of the high*  
13               *intensity drug trafficking area;*

14               “(B) *managing the funds of the high inten-*  
15               *sity drug trafficking area;*

16               “(C) *reviewing and approving all funding*  
17               *proposals consistent with the overall objective of*  
18               *the high intensity drug trafficking area; and*

19               “(D) *reviewing and approving all reports to*  
20               *the Director on the activities of the high inten-*  
21               *sity drug trafficking area.*

22           “(3) *BOARD REPRESENTATION.*—*None of the*  
23           *funds appropriated under this section may be ex-*  
24           *pended for any high intensity drug trafficking area,*  
25           *or for a partnership or region of a high intensity*



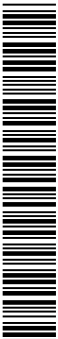


1       *drug trafficking area, if that area's, region's or part-*  
2       *nership's Executive Board does not apportion an*  
3       *equal number of votes between representatives of par-*  
4       *ticipating Federal agencies and representatives of*  
5       *participating State and local agencies. Where it is*  
6       *impractical for a equal number of representatives of*  
7       *Federal agencies and State and local agencies to at-*  
8       *tend a meeting of an Executive Board in person, the*  
9       *Executive Board may use a system of proxy votes or*  
10      *weighted votes to achieve the voting balance required*  
11      *by this paragraph.*

12           “(4) NO AGENCY RELATIONSHIP.—*The eligibility*  
13      *requirements of this section are intended to ensure the*  
14      *responsible use of Federal funds. Nothing in this sec-*  
15      *tion is intended to create an agency relationship be-*  
16      *tween individual high intensity drug trafficking areas*  
17      *and the Federal Government.*

18           “(f) USE OF FUNDS.—*The Director shall ensure that*  
19      *no Federal funds appropriated for the Program are ex-*  
20      *pended for the establishment or expansion of drug treatment*  
21      *programs, and shall ensure that not more than five percent*  
22      *of the Federal funds appropriated for the Program are ex-*  
23      *pended for the establishment of drug prevention programs.*

24           “(g) COUNTERTERRORISM ACTIVITIES.—



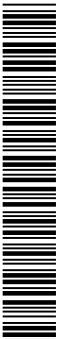
1           “(1) *ASSISTANCE AUTHORIZED.*—*The Director*  
2           *may authorize use of resources available for the Pro-*  
3           *gram to assist Federal, State, and local law enforce-*  
4           *ment agencies in investigations and activities related*  
5           *to terrorism and prevention of terrorism, especially*  
6           *but not exclusively with respect to such investigations*  
7           *and activities that are also related to drug trafficking.*

8           “(2) *LIMITATION.*—*The Director shall ensure—*

9                   “(A) *that assistance provided under para-*  
10                  *graph (1) remains incidental to the purpose of*  
11                  *the Program to reduce drug availability and*  
12                  *carry out drug-related law enforcement activi-*  
13                  *ties; and*

14                   “(B) *that significant resources of the Pro-*  
15                  *gram are not redirected to activities exclusively*  
16                  *related to terrorism, except on a temporary basis*  
17                  *under extraordinary circumstances, as deter-*  
18                  *mined by the Director.*

19           “(h) *ROLE OF DRUG ENFORCEMENT ADMINISTRA-*  
20           *TION.*—*The Director, in consultation with the Attorney*  
21           *General, shall ensure that a representative of the Drug En-*  
22           *forcement Administration is included in the Intelligence*  
23           *Support Center for each high intensity drug trafficking*  
24           *area.*



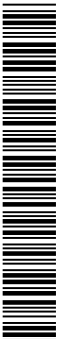
1       “(i) *ANNUAL HIDTA PROGRAM BUDGET SUBMIS-*  
2       *SIONS.*—As part of the documentation that supports the  
3       President’s annual budget request for the Office, the Direc-  
4       tor shall submit to Congress a budget justification that in-  
5       cludes the following:

6               “(1) *The amount requested for each high inten-*  
7       *sity drug trafficking area with supporting narrative*  
8       *descriptions and rationale for each request.*

9               “(2) *A detailed justification for each funding re-*  
10       *quest that explains the reasons for the requested fund-*  
11       *ing level, how such funding level was determined*  
12       *based on a current assessment of the drug trafficking*  
13       *threat in each high intensity drug trafficking area,*  
14       *how such funding will ensure that the goals and objec-*  
15       *tives of each such area will be achieved, and how such*  
16       *funding supports the National Drug Control Strategy.*

17       “(j) *EMERGING THREAT RESPONSE FUND.*—

18               “(1) *IN GENERAL.*—The Director may expend up  
19       to 10 percent of the amounts appropriated under this  
20       section on a discretionary basis, to respond to any  
21       emerging drug trafficking threat in an existing high  
22       intensity drug trafficking area, or to establish a new  
23       high intensity drug trafficking area or expand an ex-  
24       isting high intensity drug trafficking area, in accord-



1        *ance with the criteria established under paragraph*  
2        *(2).*

3                *“(2) CONSIDERATION OF IMPACT.—In allocating*  
4        *funds under this subsection, the Director shall*  
5        *consider—*

6                *“(A) the impact of activities funded on re-*  
7        *ducing overall drug traffic in the United States,*  
8        *or minimizing the probability that an emerging*  
9        *drug trafficking threat will spread to other areas*  
10       *of the United States; and*

11               *“(B) such other criteria as the Director con-*  
12       *siders appropriate.*

13               *“(k) EVALUATION.—*

14               *“(1) INITIAL REPORT.—Not later than 90 days*  
15       *after the date of the enactment of this subsection, the*  
16       *Director shall, after consulting with the Executive*  
17       *Boards of each designated high intensity drug traf-*  
18       *ficking area, submit a report to Congress that de-*  
19       *scribes, for each designated high intensity drug traf-*  
20       *ficking area—*

21               *“(A) the specific purposes for the high in-*  
22       *tensity drug trafficking area;*

23               *“(B) the specific long-term and short-term*  
24       *goals and objectives for the high intensity drug*  
25       *trafficking area;*

1           “(C) the measurements that will be used to  
2           evaluate the performance of the high intensity  
3           drug trafficking area in achieving the long-term  
4           and short-term goals; and

5           “(D) the reporting requirements needed to  
6           evaluate the performance of the high intensity  
7           drug trafficking area in achieving the long-term  
8           and short-term goals.

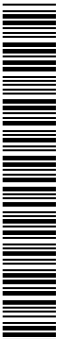
9           “(2) EVALUATION OF HIDTA PROGRAM AS PART  
10          OF NATIONAL DRUG CONTROL STRATEGY.—For each  
11          designated high intensity drug trafficking area, the  
12          Director shall submit, as part of the annual National  
13          Drug Control Strategy report, a report that—

14               “(A) describes—

15                   “(i) the specific purposes for the high  
16                   intensity drug trafficking area; and

17                   “(ii) the specific long-term and short-  
18                   term goals and objectives for the high inten-  
19                   sity drug trafficking area; and

20               “(B) includes an evaluation of the perform-  
21               ance of the high intensity drug trafficking area  
22               in accomplishing the specific long-term and  
23               short-term goals and objectives identified under  
24               paragraph (1)(B).



1       “(l) *ASSESSMENT OF DRUG ENFORCEMENT TASK*  
2 *FORCES IN HIGH INTENSITY DRUG TRAFFICKING AREAS.*—  
3 *Not later than 180 days after the date of enactment of this*  
4 *subsection, and as part of each subsequent annual National*  
5 *Drug Control Strategy report, the Director shall submit to*  
6 *Congress a report—*

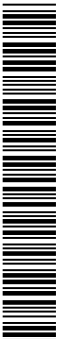
7               “(1) *assessing the number and operation of all*  
8 *federally funded drug enforcement task forces within*  
9 *each high intensity drug trafficking area; and*

10              “(2) *describing—*

11                      “(A) *each Federal, State, and local drug en-*  
12 *forcement task force operating in the high inten-*  
13 *sity drug trafficking area;*

14                      “(B) *how such task forces coordinate with*  
15 *each other, with any high intensity drug traf-*  
16 *ficking area task force, and with investigations*  
17 *receiving funds from the Organized Crime and*  
18 *Drug Enforcement Task Force;*

19                      “(C) *what steps, if any, each such task force*  
20 *takes to share information regarding drug traf-*  
21 *ficking and drug production with other federally*  
22 *funded drug enforcement task forces in the high*  
23 *intensity drug trafficking area;*



1           “(D) the role of the high intensity drug traf-  
2           ficking area in coordinating the sharing of such  
3           information among task forces;

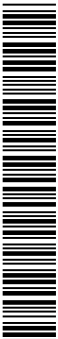
4           “(E) the nature and extent of cooperation  
5           by each Federal, State, and local participant in  
6           ensuring that such information is shared among  
7           law enforcement agencies and with the high in-  
8           tensity drug trafficking area;

9           “(F) the nature and extent to which infor-  
10          mation sharing and enforcement activities are  
11          coordinated with joint terrorism task forces in  
12          the high intensity drug trafficking area; and

13          “(G) any recommendations for measures  
14          needed to ensure that task force resources are uti-  
15          lized efficiently and effectively to reduce the  
16          availability of illegal drugs in the high intensity  
17          drug trafficking areas.

18          “(m) ASSESSMENT OF INTELLIGENCE SHARING IN  
19          HIGH INTENSITY DRUG TRAFFICKING AREAS—PRO-  
20          GRAM.—Not later than 180 days after the date of the enact-  
21          ment of this subsection, and as part of each subsequent an-  
22          nual National Drug Control Strategy report, the Director  
23          shall submit to Congress a report—

24               “(1) evaluating existing and planned intelligence  
25               systems supported by each high intensity drug traf-

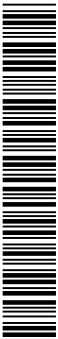


1        *ficking area, or utilized by task forces receiving any*  
2        *funding under the Program, including the extent to*  
3        *which such systems ensure access and availability of*  
4        *intelligence to Federal, State, and local law enforce-*  
5        *ment agencies within the high intensity drug traf-*  
6        *ficking area and outside of it;*

7                *“(2) the extent to which Federal, State, and local*  
8        *law enforcement agencies participating in each high*  
9        *intensity drug trafficking area are sharing intel-*  
10       *ligence information to assess current drug trafficking*  
11       *threats and design appropriate enforcement strategies;*  
12       *and*

13               *“(3) the measures needed to improve effective*  
14       *sharing of information and intelligence regarding*  
15       *drug trafficking and drug production among Federal,*  
16       *State, and local law enforcement participating in a*  
17       *high intensity drug trafficking area, and between*  
18       *such agencies and similar agencies outside the high*  
19       *intensity drug trafficking area.*

20        *“(n) COORDINATION OF INTELLIGENCE SHARING*  
21       *WITH ORGANIZED CRIME DRUG ENFORCEMENT TASK*  
22       *FORCE PROGRAM.—The Director, in consultation with the*  
23       *Attorney General, shall ensure that any drug enforcement*  
24       *intelligence obtained by the Intelligence Support Center for*  
25       *each high intensity drug trafficking area is shared, on a*





1 *timely basis, with the drug intelligence fusion center oper-*  
2 *ated by the Organized Crime Drug Enforcement Task Force*  
3 *of the Department of Justice.*

4 “(o) *USE OF FUNDS TO COMBAT METHAMPHETAMINE*  
5 *TRAFFICKING.*—

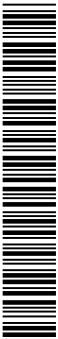
6 “(1) *IN GENERAL.*—

7 “(A) *REQUIREMENT.*—*The Director shall*  
8 *ensure that, of the amounts appropriated for a*  
9 *fiscal year for the Program, at least \$15,000,000*  
10 *is allocated to combat the trafficking of meth-*  
11 *amphetamine in areas designated by the Direc-*  
12 *tor as high intensity drug trafficking areas.*

13 “(B) *ACTIVITIES.*—*In meeting the require-*  
14 *ment in subparagraph (A), the Director shall*  
15 *transfer funds to appropriate Federal, State, and*  
16 *local governmental agencies for employing addi-*  
17 *tional Federal law enforcement personnel, or fa-*  
18 *cilitating the employment of additional State*  
19 *and local law enforcement personnel, including*  
20 *agents, investigators, prosecutors, laboratory*  
21 *technicians, chemists, investigative assistants,*  
22 *and drug prevention specialists.*

23 “(2) *APPORTIONMENT OF FUNDS.*—

24 “(A) *FACTORS IN APPORTIONMENT.*—*The*  
25 *Director shall apportion amounts allocated*



1           *under paragraph (1) among areas designated by*  
2           *the Director as high intensity drug trafficking*  
3           *areas based on the following factors:*

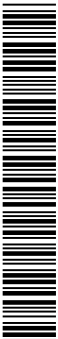
4                     “(i) *The number of methamphetamine*  
5                     *manufacturing facilities discovered by Fed-*  
6                     *eral, State, or local law enforcement offi-*  
7                     *cials in the area during the previous fiscal*  
8                     *year.*

9                     “(ii) *The number of methamphetamine*  
10                    *prosecutions in Federal, State, or local*  
11                    *courts in the area during the previous fiscal*  
12                    *year.*

13                    “(iii) *The number of methamphet-*  
14                    *amine arrests by Federal, State, or local*  
15                    *law enforcement officials in the area during*  
16                    *the previous fiscal year.*

17                    “(iv) *The amounts of methamphet-*  
18                    *amine or listed chemicals (as that term is*  
19                    *defined in section 102(33) of the Controlled*  
20                    *Substances Act (21 U.S.C. 802(33)) seized*  
21                    *by Federal, State, or local law enforcement*  
22                    *officials in the area during the previous fis-*  
23                    *cal year.*

24                    “(v) *Intelligence and predictive data*  
25                    *from the Drug Enforcement Administration*



1           *showing patterns and trends in abuse, traf-*  
2           *ficking, and transportation in methamphet-*  
3           *amine and listed chemicals (as that term is*  
4           *so defined).*

5           “(B) *CERTIFICATION.*—*Before the Director*  
6           *apportions any funds under this paragraph to a*  
7           *high intensity drug trafficking area, the Director*  
8           *shall certify that the law enforcement entities re-*  
9           *sponsible for clandestine methamphetamine lab-*  
10          *oratory seizures in that area are providing lab-*  
11          *oratory seizure data to the national clandestine*  
12          *laboratory database at the El Paso Intelligence*  
13          *Center.*

14          “(p) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
15          *authorized to be appropriated to the Office of National*  
16          *Drug Control Policy to carry out this section—*

17                 “(1) \$280,000,000 for fiscal year 2007;

18                 “(2) \$290,000,000 for each of fiscal years 2008  
19                 *and 2009; and*

20                 “(3) \$300,000,000 for each of fiscal years 2010  
21                 *and 2011.”.*

22         **SEC. 10. FUNDING FOR CERTAIN HIGH INTENSITY DRUG**  
23                 **TRAFFICKING AREAS.**

24                 “(a) *SHORT TITLE.*—*This section may be cited as the*  
25                 *“Dawson Family Community Protection Act”.*

1       **(b) FINDINGS.**—Congress finds the following:

2           (1) In the early morning hours of October 16,  
3       2002, the home of Carnell and Angela Dawson was  
4       firebombed in apparent retaliation for Mrs. Dawson's  
5       notification of police about persistent drug distribu-  
6       tion activity in their East Baltimore City neighbor-  
7       hood.

8           (2) The arson claimed the lives of Mr. and Mrs.  
9       Dawson and their 5 young children, aged 9 to 14.

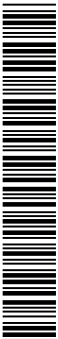
10          (3) The horrific murder of the Dawson family is  
11       a stark example of domestic narco-terrorism.

12          (4) In all phases of counter-narcotics law en-  
13       forcement—from prevention to investigation to pros-  
14       ecution to reentry—the voluntary cooperation of ordi-  
15       nary citizens is a critical component.

16          (5) Voluntary cooperation is difficult for law en-  
17       forcement officials to obtain when citizens feel that co-  
18       operation carries the risk of violent retaliation by ille-  
19       gal drug trafficking organizations and their affiliates.

20          (6) Public confidence that law enforcement is  
21       doing all it can to make communities safe is a pre-  
22       requisite for voluntary cooperation among people who  
23       may be subject to intimidation or reprisal (or both).

24          (7) Witness protection programs are insufficient  
25       on their own to provide security because many indi-



1        *viduals and families who strive every day to make*  
2        *distressed neighborhoods livable for their children,*  
3        *other relatives, and neighbors will resist or refuse of-*  
4        *fers of relocation by local, State, and Federal prosecu-*  
5        *torial agencies and because, moreover, the continued*  
6        *presence of strong individuals and families is critical*  
7        *to preserving and strengthening the social fabric in*  
8        *such communities.*

9            (8) *Where (as in certain sections of Baltimore*  
10        *City) interstate trafficking of illegal drugs has severe*  
11        *ancillary local consequences within areas designated*  
12        *as high intensity drug trafficking areas, it is impor-*  
13        *tant that supplementary High Intensity Drug Traf-*  
14        *ficking Areas Program funds be committed to support*  
15        *initiatives aimed at making the affected communities*  
16        *safe for the residents of those communities and en-*  
17        *couraging their cooperation with local, State, and*  
18        *Federal law enforcement efforts to combat illegal drug*  
19        *trafficking.*

20        (c) *FUNDING FOR CERTAIN HIGH INTENSITY DRUG*  
21        *TRAFFICKING AREAS.—Section 707 (21 U.S.C. 1706), as*  
22        *amended by section 9, is further amended by adding at the*  
23        *end the following new subsection:*

24        “(q) *SPECIFIC PURPOSES.—*

1           “(1) *IN GENERAL.*—*The Director shall ensure*  
2           *that, of the amounts appropriated for a fiscal year for*  
3           *the Program, at least \$7,000,000 is used in high in-*  
4           *tensity drug trafficking areas with severe neighbor-*  
5           *hood safety and illegal drug distribution problems.*

6           “(2) *REQUIRED USES.*—*The funds used under*  
7           *paragraph (1) shall be used—*

8                   “(A) *to ensure the safety of neighborhoods*  
9                   *and the protection of communities, including the*  
10                  *prevention of the intimidation of potential wit-*  
11                  *nesses of illegal drug distribution and related ac-*  
12                  *tivities; and*

13                  “(B) *to combat illegal drug trafficking*  
14                  *through such methods as the Director considers*  
15                  *appropriate, such as establishing or operating*  
16                  *(or both) a toll-free telephone hotline for use by*  
17                  *the public to provide information about illegal*  
18                  *drug-related activities.”.*

19 **SEC. 11. AMENDMENTS RELATING TO COUNTER-DRUG**  
20 **TECHNOLOGY ASSESSMENT CENTER.**

21           (a) *CHIEF SCIENTIST.*—*Section 708(b) (21 U.S.C.*  
22 *1707(b)) is amended—*

23                   (1) *in the heading by striking “DIRECTOR OF*  
24                  *TECHNOLOGY.—” and inserting “CHIEF SCI-*  
25                  *ENTIST.—”; and*

1           (2) by striking “Director of Technology,” and in-  
2           serting “Chief Scientist,”.

3           (b) *ADDITIONAL RESPONSIBILITIES OF DIRECTOR.*—  
4           Section 708(c) (21 U.S.C. 1707(c)) is amended to read as  
5           follows:

6           “(c) *ADDITIONAL RESPONSIBILITIES OF THE DIREC-*  
7           *TOR OF NATIONAL DRUG CONTROL POLICY.*—

8           “(1) *IN GENERAL.*—*The Director, acting through*  
9           *the Chief Scientist shall—*

10           “(A) *identify and define the short-, me-*  
11           *dium-, and long-term scientific and technological*  
12           *needs of Federal, State, and local law enforce-*  
13           *ment agencies relating to drug enforcement,*  
14           *including—*

15           “(i) *advanced surveillance, tracking,*  
16           *and radar imaging;*

17           “(ii) *electronic support measures;*

18           “(iii) *communications;*

19           “(iv) *data fusion, advanced computer*  
20           *systems, and artificial intelligence; and*

21           “(v) *chemical, biological, radiological*  
22           *(including neutron, electron, and graviton),*  
23           *and other means of detection;*

24           “(B) *identify demand reduction (including*  
25           *drug prevention) basic and applied research*



1           *needs and initiatives, in consultation with af-*  
2           *ected National Drug Control Program agencies,*  
3           *including—*

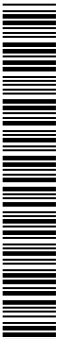
4                     “(i) improving treatment through  
5                     *neuroscientific advances;*

6                     “(ii) improving the transfer of bio-  
7                     *medical research to the clinical setting; and*

8                     “(iii) in consultation with the Na-  
9                     *tional Institute on Drug Abuse and the*  
10                    *Substance Abuse and Mental Health Serv-*  
11                    *ices Administration, and through inter-*  
12                    *agency agreements or grants, examining ad-*  
13                    *diction and rehabilitation research and the*  
14                    *application of technology to expanding the*  
15                    *effectiveness or availability of drug treat-*  
16                    *ment;*

17                    “(C) make a priority ranking of such needs  
18                    *identified in subparagraphs (A) and (B) accord-*  
19                    *ing to fiscal and technological feasibility, as part*  
20                    *of a National Counterdrug Research and Devel-*  
21                    *opment Program;*

22                    “(D) oversee and coordinate counterdrug  
23                    *technology initiatives with related activities of*  
24                    *other Federal civilian and military departments;*





1           “(E) provide support to the development  
2           and implementation of the national drug control  
3           performance measurement system established  
4           under subsection (b) of section 706;

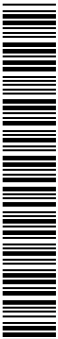
5           “(F) with the advice and counsel of experts  
6           from State and local law enforcement agencies,  
7           oversee and coordinate a technology transfer pro-  
8           gram for the transfer of technology to State and  
9           local law enforcement agencies; and

10          “(G) pursuant to the authority of the Direc-  
11          tor of National Drug Control Policy under sec-  
12          tion 704, submit requests to Congress for the re-  
13          programming or transfer of funds appropriated  
14          for counterdrug technology research and develop-  
15          ment.

16          “(2) *PRIORITIES IN TRANSFERRING TECH-*  
17          *NOLOGY.—*

18          “(A) *IN GENERAL.—*The Chief Scientist  
19          shall give priority, in transferring technology  
20          under paragraph (1)(F), based on the following  
21          criteria:

22                 “(i) the need of potential recipients for  
23                 such technology;



1                   “(ii) the effectiveness of the technology  
2                   to enhance current counterdrug activities of  
3                   potential recipients; and

4                   “(iii) the ability and willingness of po-  
5                   tential recipients to evaluate transferred  
6                   technology.

7                   “(B) INTERDICTION AND BORDER DRUG  
8                   LAW ENFORCEMENT TECHNOLOGIES.—The Chief  
9                   Scientist shall give priority, in transferring tech-  
10                  nologies most likely to assist in drug interdiction  
11                  and border drug law enforcement, to State, local,  
12                  and tribal law enforcement agencies in southwest  
13                  border areas and northern border areas with sig-  
14                  nificant traffic in illicit drugs.

15                  “(3) LIMITATION ON AUTHORITY.—The authority  
16                  granted to the Director under this subsection shall not  
17                  extend to the direct management of individual  
18                  projects or other operational activities.

19                  “(4) REPORT.—On or before July 1 of each year,  
20                  the Director shall submit a report to the appropriate  
21                  congressional committees that addresses the following:

22                         “(A) The number of requests received during  
23                         the previous 12 months, including the identity of  
24                         each requesting agency and the type of tech-  
25                         nology requested.



1           “(B) *The number of requests fulfilled during*  
2           *the previous 12 months, including the identity of*  
3           *each recipient agency and the type of technology*  
4           *transferred.*

5           “(C) *A summary of the criteria used in*  
6           *making the determination on what requests were*  
7           *funded and what requests were not funded, ex-*  
8           *cept that such summary shall not include spe-*  
9           *cific information on any individual requests.*

10          “(D) *A general assessment of the future*  
11          *needs of the program, based on expected changes*  
12          *in threats, expected technologies, and likely need*  
13          *from potential recipients.*

14          “(E) *An assessment of the effectiveness of*  
15          *the technologies transferred, based in part on the*  
16          *evaluations provided by the recipients, with a*  
17          *recommendation whether the technology should*  
18          *continue to be offered through the program.”.*

19          (c) *ASSISTANCE FROM SECRETARY OF HOMELAND SE-*  
20          *URITY.—Section 708(d) (21 U.S.C. 1707(d)) is amended*  
21          *by inserting “, the Secretary of Homeland Security,” after*  
22          *“The Secretary of Defense”.*

23          **SEC. 12. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.**

24          (a) *IN GENERAL.—Section 709 (21 U.S.C. 1708) is*  
25          *amended to read as follows:*

1   **“SEC. 709. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.**

2           “(a) *IN GENERAL.*—*The Director shall conduct a na-*  
3   *tional youth anti-drug media campaign (referred to in this*  
4   *subtitle as the ‘national media campaign’) in accordance*  
5   *with this section for the purposes of—*

6           “(1) *preventing drug abuse among young people*  
7   *in the United States;*

8           “(2) *increasing awareness of adults of the impact*  
9   *of drug abuse on young people; and*

10          “(3) *encouraging parents and other interested*  
11   *adults to discuss with young people the dangers of il-*  
12   *legal drug use.*

13          “(b) *USE OF FUNDS.*—

14          “(1) *IN GENERAL.*—*Amounts made available to*  
15   *carry out this section for the national media cam-*  
16   *paign may only be used for the following:*

17           “(A) *The purchase of media time and space,*  
18   *including the strategic planning for, and ac-*  
19   *counting of, such purchases.*

20           “(B) *Creative and talent costs, consistent*  
21   *with paragraph (2)(A).*

22           “(C) *Advertising production costs.*

23           “(D) *Testing and evaluation of advertising.*

24           “(E) *Evaluation of the effectiveness of the*  
25   *national media campaign.*

1           “(F) *The negotiated fees for the winning*  
2           *bidder on requests for proposals issued either by*  
3           *the Office or its designee to enter into contracts*  
4           *to carry out activities authorized by this section.*

5           “(G) *Partnerships with professional and*  
6           *civic groups, community-based organizations, in-*  
7           *cluding faith-based organizations, and govern-*  
8           *ment organizations related to the national media*  
9           *campaign.*

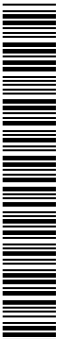
10          “(H) *Entertainment industry outreach,*  
11          *interactive outreach, media projects and activi-*  
12          *ties, public information, news media outreach,*  
13          *and corporate sponsorship and participation.*

14          “(I) *Operational and management expenses.*

15          “(2) *SPECIFIC REQUIREMENTS.—*

16          “(A) *CREATIVE SERVICES.—*

17               “(i) *In using amounts for creative and*  
18               *talent costs under paragraph (1)(B), the Di-*  
19               *rector shall use creative services donated at*  
20               *no cost to the Government (including cre-*  
21               *ative services provided by the Partnership*  
22               *for a Drug-Free America) wherever feasible*  
23               *and may only procure creative services for*  
24               *advertising—*



1                   “(I) responding to high-priority  
2                   or emergent campaign needs that can-  
3                   not timely be obtained at no cost; or

4                   “(II) intended to reach a minor-  
5                   ity, ethnic, or other special audience  
6                   that cannot reasonably be obtained at  
7                   no cost; or

8                   “(III) the Director determines  
9                   that the Partnership for a Drug-Free  
10                  America is unable to provide, pursuant  
11                  to subsection (d)(2)(B).

12                  “(ii) No more than \$1,500,000 may be  
13                  expended under this section each fiscal year  
14                  on creative services, except that the Director  
15                  may expend up to \$2,000,000 in a fiscal  
16                  year on creative services to meet urgent  
17                  needs of the national media campaign with  
18                  advance approval from the Committee on  
19                  Appropriations of the House of Representa-  
20                  tives and of the Senate upon a showing of  
21                  the circumstances causing such urgent needs  
22                  of the national media campaign.

23                  “(B) TESTING AND EVALUATION OF ADVER-  
24                  TISING.—In using amounts for testing and eval-  
25                  uation of advertising under paragraph (1)(D),

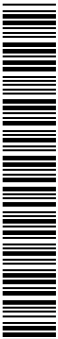


1           *the Director shall test all advertisements prior to*  
2           *use in the national media campaign to ensure*  
3           *that the advertisements are effective and meet in-*  
4           *dustry-accepted standards. The Director may*  
5           *waive this requirement for advertisements using*  
6           *no more than 10 percent of the purchase of ad-*  
7           *vertising time purchased under this section in a*  
8           *fiscal year and no more than 10 percent of the*  
9           *advertising space purchased under this section in*  
10          *a fiscal year, if the advertisements respond to*  
11          *emergent and time-sensitive campaign needs or*  
12          *the advertisements will not be widely utilized in*  
13          *the national media campaign.*

14               “(C) *EVALUATION OF EFFECTIVENESS OF*  
15               *MEDIA CAMPAIGN.—In using amounts for the*  
16               *evaluation of the effectiveness of the national*  
17               *media campaign under paragraph (1)(E), the*  
18               *Director shall—*

19                       “(i) *designate an independent entity to*  
20                       *evaluate annually the effectiveness of the na-*  
21                       *tional media campaign based on data*  
22                       *from—*

23                               “(I) *the Monitoring the Future*  
24                               *Study published by the Department of*  
25                               *Health and Human Services;*



1                   “(II) *the Attitude Tracking Study*  
2                   *published by the Partnership for a*  
3                   *Drug Free America;*

4                   “(III) *the National Household*  
5                   *Survey on Drug Abuse; and*

6                   “(IV) *other relevant studies or*  
7                   *publications, as determined by the Di-*  
8                   *rector, including tracking and evalua-*  
9                   *tion data collected according to mar-*  
10                  *keting and advertising industry stand-*  
11                  *ards; and*

12                  “(ii) *ensure that the effectiveness of the*  
13                  *national media campaign is evaluated in a*  
14                  *manner that enables consideration of wheth-*  
15                  *er the national media campaign has con-*  
16                  *tributed to reduction of illicit drug use*  
17                  *among youth and such other measures of*  
18                  *evaluation as the Director determines are*  
19                  *appropriate.*

20                  “(3) *PURCHASE OF ADVERTISING TIME AND*  
21                  *SPACE.—For each fiscal year, not less than 77 percent*  
22                  *of the amounts appropriated under this section shall*  
23                  *be used for the purchase of advertising time and space*  
24                  *for the national media campaign, subject to the fol-*  
25                  *lowing exceptions:*





1           “(A) *In any fiscal year for which less than*  
2           *\$125,000,000 is appropriated for the national*  
3           *media campaign, not less than 82 percent of the*  
4           *amounts appropriated under this section shall be*  
5           *used for the purchase of advertising time and*  
6           *space for the national media campaign.*

7           “(B) *In any fiscal year for which more*  
8           *than \$195,000,000 is appropriated under this*  
9           *section, not less than 72 percent shall be used for*  
10          *advertising production costs and the purchase of*  
11          *advertising time and space for the national*  
12          *media campaign.*

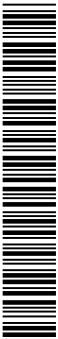
13          “(c) *ADVERTISING.—In carrying out this section, the*  
14          *Director shall ensure that sufficient funds are allocated to*  
15          *meet the stated goals of the national media campaign.*

16          “(d) *DIVISION OF RESPONSIBILITIES AND FUNCTIONS*  
17          *UNDER THE PROGRAM.—*

18                 “(1) *IN GENERAL.—The Director, in consultation*  
19                 *with the Partnership for a Drug-Free America, shall*  
20                 *determine the overall purposes and strategy of the na-*  
21                 *tional media campaign.*

22                 “(2) *RESPONSIBILITIES.—*

23                         “(A) *DIRECTOR.—The Director shall be re-*  
24                         *sponsible for implementing a focused national*



1           *media campaign to meet the purposes set forth*  
2           *in subsection (a), and shall approve—*

3                   “(i) *the strategy of the national media*  
4                   *campaign;*

5                   “(ii) *all advertising and promotional*  
6                   *material used in the national media cam-*  
7                   *paign; and*

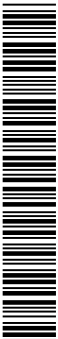
8                   “(iii) *the plan for the purchase of ad-*  
9                   *vertising time and space for the national*  
10                  *media campaign.*

11                  “(B) *THE PARTNERSHIP FOR A DRUG-FREE*  
12                  *AMERICA.—The Director shall request that the*  
13                  *Partnership for a Drug-Free America—*

14                   “(i) *develop and recommend strategies*  
15                   *to achieve the goals of the national media*  
16                   *campaign, including addressing national*  
17                   *and local drug threats in specific regions or*  
18                   *States, such as methamphetamine and ec-*  
19                   *stasy;*

20                   “(ii) *create all advertising to be used*  
21                   *in the national media campaign, except ad-*  
22                   *vertisements that are—*

23                   “(I) *provided by other nonprofit*  
24                   *entities pursuant to subsection (f);*

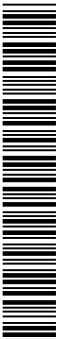


1                   “(II) intended to respond to high-  
2                   priority or emergent campaign needs  
3                   that cannot timely be obtained at no  
4                   cost (not including production costs  
5                   and talent reuse payments), provided  
6                   that any such advertising material is  
7                   reviewed by the Partnership for a  
8                   Drug-Free America;

9                   “(III) intended to reach a minor-  
10                  ity, ethnic, or other special audience  
11                  that cannot be obtained at no cost (not  
12                  including production costs and talent  
13                  reuse payments), provided that any  
14                  such advertising material is reviewed  
15                  by the Partnership for a Drug-Free  
16                  America; or

17                  “(IV) any other advertisements  
18                  that the Director determines that the  
19                  Partnership for a Drug-Free America  
20                  is unable to provide.

21                  “(C) MEDIA BUYING CONTRACTOR.—The  
22                  Director shall enter into a contract with a media  
23                  buying contractor to plan and purchase adver-  
24                  tising time and space for the national media  
25                  campaign. The media buying contractor shall



1           *not provide any other service or material, or*  
2           *conduct any other function or activity which the*  
3           *Director determines should be provided by the*  
4           *Partnership for a Drug-Free America.*

5           “(e) *PROHIBITIONS.—None of the amounts made*  
6           *available under subsection (b) may be obligated or expended*  
7           *for any of the following:*

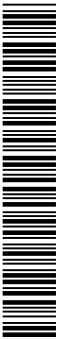
8                   “(1) *To supplant current antidrug community-*  
9                   *based coalitions.*

10                   “(2) *To supplant pro bono public service time*  
11                   *donated by national and local broadcasting networks*  
12                   *for other public service campaigns.*

13                   “(3) *For partisan political purposes, or express*  
14                   *advocacy in support of or to defeat any clearly identi-*  
15                   *fied candidate, clearly identified ballot initiative, or*  
16                   *clearly identified legislative or regulatory proposal.*

17                   “(4) *To fund advertising that features any elect-*  
18                   *ed officials, persons seeking elected office, cabinet level*  
19                   *officials, or other Federal officials employed pursuant*  
20                   *to section 213 of Schedule C of title 5, Code of Federal*  
21                   *Regulations.*

22                   “(5) *To fund advertising that does not contain*  
23                   *a primary message intended to reduce or prevent il-*  
24                   *licit drug use.*



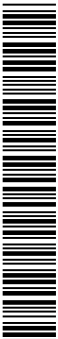
1           “(6) *To fund advertising containing a primary*  
2           *message intended to promote support for the media*  
3           *campaign or private sector contributions to the media*  
4           *campaign.*

5           “(f) *MATCHING REQUIREMENT.—*

6           “(1) *IN GENERAL.—Amounts made available*  
7           *under subsection (b) for media time and space shall*  
8           *be matched by an equal amount of non-Federal funds*  
9           *for the national media campaign, or be matched with*  
10          *in-kind contributions of the same value.*

11          “(2) *NO-COST MATCH ADVERTISING DIRECT RE-*  
12          *LATIONSHIP REQUIREMENT.—The Director shall en-*  
13          *sure that at least 70 percent of no-cost match adver-*  
14          *tising provided directly relates to substance abuse pre-*  
15          *vention consistent with the specific purposes of the*  
16          *national media campaign, except that in any fiscal*  
17          *year in which less than \$125,000,000 is appropriated*  
18          *to the national media campaign, the Director shall*  
19          *ensure that at least 85 percent of no-cost match ad-*  
20          *vertising directly relates to substance abuse preven-*  
21          *tion consistent with the specific purposes of the na-*  
22          *tional media campaign.*

23          “(3) *NO-COST MATCH ADVERTISING NOT DI-*  
24          *RECTLY RELATED.—The Director shall ensure that*  
25          *no-cost match advertising that does not directly relate*



1        *to substance abuse prevention consistent with the pur-*  
2        *poses of the national media campaign includes a clear*  
3        *antidrug message. Such message is not required to be*  
4        *the primary message of the match advertising.*

5        “(g) *FINANCIAL AND PERFORMANCE ACCOUNT-*  
6        *ABILITY.—The Director shall cause to be performed—*

7                “(1) *audits and reviews of costs of the national*  
8        *media campaign pursuant to section 304C of the Fed-*  
9        *eral Property and Administrative Services Act of*  
10        *1949 (41 U.S.C. 254d); and*

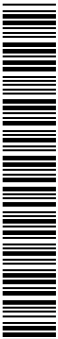
11               “(2) *an audit to determine whether the costs of*  
12        *the national media campaign are allowable under sec-*  
13        *tion 306 of such Act (41 U.S.C. 256).*

14        “(h) *REPORT TO CONGRESS.—The Director shall sub-*  
15        *mit on an annual basis a report to Congress that*  
16        *describes—*

17               “(1) *the strategy of the national media cam-*  
18        *paign and whether specific objectives of the media*  
19        *campaign were accomplished;*

20               “(2) *steps taken to ensure that the national*  
21        *media campaign operates in an effective and efficient*  
22        *manner consistent with the overall strategy and focus*  
23        *of the national media campaign;*

24               “(3) *plans to purchase advertising time and*  
25        *space;*



1           “(4) *policies and practices implemented to en-*  
2           *sure that Federal funds are used responsibly to pur-*  
3           *chase advertising time and space and eliminate the*  
4           *potential for waste, fraud, and abuse; and*

5           “(5) *all contracts entered into with a corpora-*  
6           *tion, partnership, or individual working on behalf of*  
7           *the national media campaign.*

8           “(i) *LOCAL TARGET REQUIREMENT.—The Director*  
9           *shall, to the maximum extent feasible, use amounts made*  
10          *available under this section for media that focuses on, or*  
11          *includes specific information on, prevention or treatment*  
12          *resources for consumers within specific local areas.*

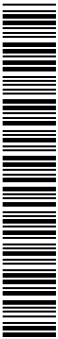
13          “(j) *PREVENTION OF MARIJUANA USE.—*

14                 “(1) *FINDINGS.—The Congress finds the fol-*  
15                 *lowing:*

16                         “(A) *60 percent of adolescent admissions for*  
17                         *drug treatment are based on marijuana use.*

18                         “(B) *Potency levels of contemporary mari-*  
19                         *juana, particularly hydroponically grown mari-*  
20                         *juana, are significantly higher than in the past,*  
21                         *rising from under 1 percent of THC in the mid-*  
22                         *1970s to as high as 30 percent today.*

23                         “(C) *Contemporary research has dem-*  
24                         *onstrated that youths smoking marijuana early*



1           *in life may be up to five times more likely to use*  
2           *hard drugs.*

3           “(D) Contemporary research has dem-  
4           onstrated clear detrimental effects in adolescent  
5           educational achievement resulting from mari-  
6           juana use.

7           “(E) Contemporary research has dem-  
8           onstrated clear detrimental effects in adolescent  
9           brain development resulting from marijuana use.

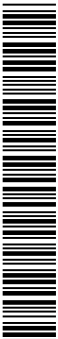
10          “(F) An estimated 9,000,000 Americans a  
11          year drive while under the influence of illegal  
12          drugs, including marijuana.

13          “(G) Marijuana smoke contains 50 to 70  
14          percent more of certain cancer causing chemicals  
15          than tobacco smoke.

16          “(H) Teens who use marijuana are up to  
17          four times more likely to have a teen pregnancy  
18          than teens who have not.

19          “(I) Federal law enforcement agencies have  
20          identified clear links suggesting that trade in hy-  
21          droponic marijuana facilitates trade by criminal  
22          organizations in hard drugs, including heroin.

23          “(J) Federal law enforcement agencies have  
24          identified possible links between trade in can-





1           *nabis products and financing for terrorist orga-*  
2           *nizations.*

3           “(2) *EMPHASIS ON PREVENTION OF YOUTH MARI-*  
4           *JUANA USE.*—*In conducting advertising and activities*  
5           *otherwise authorized under this section, the Director*  
6           *may emphasize prevention of youth marijuana use.*

7           “(k) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
8           *authorized to be appropriated to the Office to carry out this*  
9           *section, \$195,000,000 for each of fiscal years 2007 and 2008*  
10          *and \$210,000,000 for each of fiscal years 2009 through*  
11          *2011.”.*

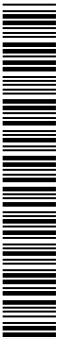
12          (b) *REPEAL OF SUPERSEDED PROVISIONS.*—*The*  
13          *Drug-Free Media Campaign Act of 1998 (21 U.S.C. 1801*  
14          *et seq.) is repealed.*

15       **SEC. 13. DRUG INTERDICTION.**

16          (a) *IN GENERAL.*—*Subsections (a) and (b) of section*  
17          *711 (21 U.S.C. 1710) are amended to read as follows:*

18          “(a) *UNITED STATES INTERDICTION COORDINATOR.*—

19               “(1) *IN GENERAL.*—*The Deputy Director for*  
20               *Supply Reduction in the Office shall serve as the*  
21               *United States Interdiction Coordinator, and shall*  
22               *perform the duties of that position described in para-*  
23               *graph (2) and such other duties as may be determined*  
24               *by the Director with respect to coordination of efforts*



1        *to interdict illicit drugs from entering the United*  
2        *States.*

3            “(2) *RESPONSIBILITIES.—The United States*  
4        *Interdiction Coordinator shall be responsible to the*  
5        *Director for—*

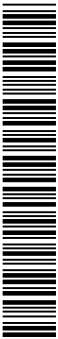
6            “(A) *coordinating the interdiction activities*  
7        *of the National Drug Control Program agencies*  
8        *to ensure consistency with the National Drug*  
9        *Control Strategy;*

10           “(B) *on behalf of the Director, developing*  
11        *and issuing, on or before March 1 of each year*  
12        *and in accordance with paragraph (3), a Na-*  
13        *tional Interdiction Command and Control Plan*  
14        *to ensure the coordination and consistency de-*  
15        *scribed in subparagraph (A);*

16           “(C) *assessing the sufficiency of assets com-*  
17        *mitted to illicit drug interdiction by the relevant*  
18        *National Drug Control Program agencies; and*

19           “(D) *advising the Director on the efforts of*  
20        *each National Drug Control Program agency to*  
21        *implement the National Interdiction Command*  
22        *and Control Plan.*

23           “(3) *STAFF.—The Director shall assign such per-*  
24        *manent staff of the Office as he considers appropriate*  
25        *to assist the United States Interdiction Coordinator*



1       to carry out the responsibilities described in para-  
2       graph (2), and may also, at his discretion, request  
3       that appropriate National Drug Control Program  
4       agencies detail or assign staff to the Office of Supply  
5       Reduction for that purpose.

6               “(4) NATIONAL INTERDICTION COMMAND AND  
7       CONTROL PLAN.—

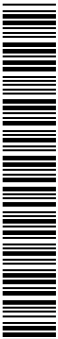
8               “(A) PURPOSES.—The National Interdic-  
9       tion Command and Control Plan shall—

10              “(i) set forth the Government’s strategy  
11       for drug interdiction;

12              “(ii) state the specific roles and respon-  
13       sibilities of the relevant National Drug Con-  
14       trol Program agencies for implementing  
15       that strategy; and

16              “(iii) identify the specific resources re-  
17       quired to enable the relevant National Drug  
18       Control Program agencies to implement  
19       that strategy.

20              “(B) CONSULTATION WITH OTHER AGEN-  
21       CIES.—The United States Interdiction Coordi-  
22       nator shall issue the National Interdiction Com-  
23       mand and Control Plan in consultation with the  
24       other members of the Interdiction Committee de-  
25       scribed in subsection (b).

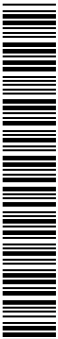


1           “(C) *LIMITATION.*—*The National Interdic-*  
2           *tion Command and Control Plan shall not*  
3           *change existing agency authorities or the laws*  
4           *governing interagency relationships, but may in-*  
5           *clude recommendations about changes to such*  
6           *authorities or laws.*

7           “(D) *REPORT TO CONGRESS.*—*On or before*  
8           *March 1 of each year, the United States Interdic-*  
9           *tion Coordinator shall provide a report on behalf*  
10          *of the Director to the appropriate congressional*  
11          *committees, to the Committee on Armed Services*  
12          *and the Committee on Homeland Security of the*  
13          *House of Representatives, and to the Committee*  
14          *on Homeland Security and Governmental Af-*  
15          *airs and the Committee on Armed Services of*  
16          *the Senate, which shall include—*

17                 “(i) *a copy of that year’s National*  
18                 *Interdiction Command and Control Plan;*

19                 “(ii) *information for the previous 10*  
20                 *years regarding the number and type of sei-*  
21                 *zures of drugs by each National Drug Con-*  
22                 *trol Program agency conducting drug inter-*  
23                 *diction activities, as well as statistical in-*  
24                 *formation on the geographic areas of such*  
25                 *seizures; and*



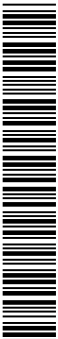
1                   “(iii) information for the previous 10  
2                   years regarding the number of air and mar-  
3                   itime patrol hours undertaken by each Na-  
4                   tional Drug Control Program agency con-  
5                   ducting drug interdiction activities, as well  
6                   as statistical information on the geographic  
7                   areas in which such patrol hours took place.

8                   “(E) *TREATMENT OF CLASSIFIED OR LAW*  
9                   *ENFORCEMENT SENSITIVE INFORMATION.*—Any  
10                  content of the report described in subparagraph  
11                  (D) that involves information classified under  
12                  criteria established by an Executive order, or the  
13                  public disclosure of which, as determined by the  
14                  United States Interdiction Coordinator or the  
15                  head of any relevant National Drug Control Pro-  
16                  gram agency, would be detrimental to the law  
17                  enforcement or national security activities of any  
18                  Federal, State, or local agency, shall be presented  
19                  to Congress separately from the rest of the plan.

20                  “(b) *INTERDICTION COMMITTEE.*—

21                  “(1) *IN GENERAL.*—The Interdiction Committee  
22                  shall meet to—

23                  “(A) discuss and resolve issues related to the  
24                  coordination, oversight and integration of inter-  
25                  national, border, and domestic drug interdiction



1           *efforts in support of the National Drug Control*  
2           *Strategy;*

3           “(B) *review the annual National Interdic-*  
4           *tion Command and Control Plan, and provide*  
5           *advice to the Director and the United States*  
6           *Interdiction Coordinator concerning that plan;*  
7           *and*

8           “(C) *provide such other advice to the Direc-*  
9           *tor concerning drug interdiction strategy and*  
10          *policies as the committee determines is appro-*  
11          *priate.*

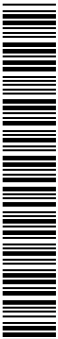
12          “(2) *MEMBERSHIP.—The membership of the*  
13          *Interdiction Committee shall consist of—*

14               “(A) *the Commissioner of the bureau of*  
15               *Customs and Border Protection at the Depart-*  
16               *ment of Homeland Security;*

17               “(B) *the Assistant Secretary of the bureau*  
18               *of Immigration and Customs Enforcement at the*  
19               *Department of Homeland Security;*

20               “(C) *the Commandant of the United States*  
21               *Coast Guard;*

22               “(D) *the Director of the Office of Counter-*  
23               *narcotics Enforcement at the Department of*  
24               *Homeland Security;*



1           “(E) *the Administrator of the Drug En-*  
2           *forcement Administration;*

3           “(F) *the Assistant Secretary of State for*  
4           *International Narcotics and Law Enforcement*  
5           *Affairs;*

6           “(G) *the Assistant Secretary of Defense for*  
7           *Special Operations and Low Intensity Conflict;*

8           “(H) *the Deputy Director for Supply Re-*  
9           *duction of the Office of National Drug Control*  
10          *Policy, acting in his role as the United States*  
11          *Interdiction Coordinator;*

12          “(I) *the director of the Crime and Narcotics*  
13          *Center of the Central Intelligence Agency;*

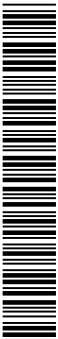
14          “(J) *the Deputy Director for State and*  
15          *Local Affairs of the Office of National Drug Con-*  
16          *trol Policy;*

17          “(K) *the Chief of the National Guard Bu-*  
18          *reau’s Counterdrug Program; and*

19          “(L) *such additional persons as may be de-*  
20          *termined by the Director.*

21          “(3) *CHAIRMAN.—The Director shall designate*  
22          *one of the members of the Interdiction Committee to*  
23          *serve as chairman.*

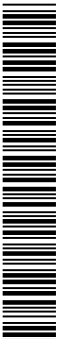
24          “(4) *MEETINGS.—The members of the Interdic-*  
25          *tion Committee shall meet, in person and not through*



1        *any delegate or representative, at least once per cal-*  
2        *endar year, prior to March 1. At the call of either the*  
3        *Director or the current chairman, the Interdiction*  
4        *Committee may hold additional meetings, which shall*  
5        *be attended by the members either in person, or*  
6        *through such delegates or representatives as they may*  
7        *choose.*

8                *“(5) REPORT.—Not later than September 30 of*  
9        *each year, the chairman of the Interdiction Com-*  
10       *mittee shall submit a report to the Director and to the*  
11       *appropriate congressional committees describing the*  
12       *results of the meetings and any significant findings*  
13       *of the Committee during the previous 12 months. Any*  
14       *content of such a report that involves information*  
15       *classified under criteria established by an Executive*  
16       *order, or whose public disclosure, as determined by*  
17       *the Director, the chairman, or any member, would be*  
18       *detrimental to the law enforcement or national secu-*  
19       *rity activities of any Federal, State, or local agency,*  
20       *shall be presented to Congress separately from the rest*  
21       *of the report.”.*

22       *(b) CONFORMING AMENDMENT TO HOMELAND SECU-*  
23       *RITY ACT OF 2002.—Section 878 of the Homeland Security*  
24       *Act of 2002 (6 U.S.C. 458) is amended—*





1           (1) in subsection (c), by striking “Except as pro-  
2       vided in subsection (d), the” and inserting “The”;  
3       and

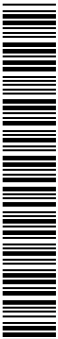
4           (2) by striking subsection (d) and redesignating  
5       subsections (e), (f), and (g) as subsections (d), (e), and  
6       (f), respectively.

7   **SEC. 14. AWARDS FOR DEMONSTRATION PROGRAMS BY**  
8           **LOCAL PARTNERSHIPS TO SHUT DOWN IL-**  
9           **LICIT DRUG MARKET HOT-SPOTS BY DETER-**  
10          **RING DRUG DEALERS OR ALTERING THE DY-**  
11          **NAMIC OF DRUG SALES.**

12       Sections 713 and 714 (21 U.S.C. 1711) are redesign-  
13   nated as sections 715 and 716, respectively, and after sec-  
14   tion 712 (21 U.S.C. 1710) insert the following new section:

15   **“SEC. 713 AWARDS FOR DEMONSTRATION PROGRAMS BY**  
16           **LOCAL PARTNERSHIPS TO SHUT DOWN IL-**  
17           **LICIT DRUG MARKET HOT-SPOTS BY DETER-**  
18           **RING DRUG DEALERS OR ALTERING THE DY-**  
19           **NAMIC OF DRUG SALES.**

20       “(a) **AWARDS REQUIRED.**—The Director shall make  
21   competitive awards for demonstration programs by eligible  
22   partnerships for the purpose of shutting down local illicit  
23   drug market hot-spots and reducing drug-related crime  
24   through evidence-based, strategic problem-solving interven-



1 *tions that deter drug dealers or alter the dynamic of drug*  
2 *sales.*

3 “(b) *USE OF AWARD AMOUNTS.*—*Award amounts re-*  
4 *ceived under this section shall be used—*

5 “(1) *to support the efforts of the agencies, organi-*  
6 *zations, and researchers included in the eligible part-*  
7 *nership;*

8 “(2) *to develop and field a directed and credible*  
9 *deterrent threat; and*

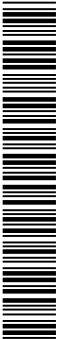
10 “(3) *to strengthen rehabilitation efforts through*  
11 *such means as job training, drug treatment, or other*  
12 *services.*

13 “(c) *ELIGIBLE PARTNERSHIP DEFINED.*—*In this sec-*  
14 *tion, the term ‘eligible partnership’ means a working group*  
15 *whose application to the Director—*

16 “(1) *identifies the roles played, and certifies the*  
17 *involvement of, three or more agencies or organiza-*  
18 *tions, which may include—*

19 “(A) *State or local agencies (such as those*  
20 *carrying out police, probation, prosecution,*  
21 *courts, corrections, parole, or treatment func-*  
22 *tions);*

23 “(B) *Federal agencies (such as the Drug*  
24 *Enforcement Agency, the Bureau of Alcohol, To-*



1           *bacco, Firearms, and Explosives, and United*  
2           *States Attorney offices); and*

3           “(C) *community-based organizations;*

4           “(2) *includes a qualified researcher;*

5           “(3) *includes a plan for identifying the impact*  
6           *players in, and assessing the nature and dynamic of,*  
7           *the local drug market and its related crime through*  
8           *information gathering and analysis;*

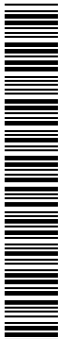
9           “(4) *includes a plan for developing an evidence-*  
10          *based strategic intervention aimed at quickly and*  
11          *sustainably eradicating the local drug market by de-*  
12          *terrering drug dealers or altering the dynamic of drug*  
13          *sales; and*

14          “(5) *includes a plan that describes the method-*  
15          *ology and outcome measures proposed for evaluating*  
16          *the impact of that strategic intervention on drug*  
17          *sales, neighborhood disorder, and crime.*

18          “(d) *REPORTS TO CONGRESS.—*

19               “(1) *INTERIM REPORT.—Not later than June 1,*  
20               *2009, the Director shall submit to Congress a report*  
21               *that identifies the best practices in drug market*  
22               *eradication, including the best practices identified*  
23               *through the activities funded under this section.*

24               “(2) *FINAL REPORT.—Not later than June 1,*  
25               *2010, the Director shall submit to Congress a report*



1       on the demonstration programs funded under this sec-  
2       tion, including on the matters specified in paragraph  
3       (1).

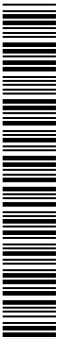
4       “(e) *AUTHORIZATION OF APPROPRIATIONS.*—There is  
5       authorized to be appropriated to carry out this section  
6       \$10,000,000 for each of fiscal years 2007 through 2009.”.

7       **SEC. 15. AWARDS FOR DEMONSTRATION PROGRAMS BY**  
8                   **LOCAL PARTNERSHIPS TO COERCE ABSTI-**  
9                   **NENCE IN CHRONIC HARD-DRUG USERS**  
10                  **UNDER COMMUNITY SUPERVISION THROUGH**  
11                  **THE USE OF DRUG TESTING AND SANCTIONS.**

12       After section 713, as inserted by section 14 of this Act,  
13       insert the following new section:

14       **“SEC. 714. AWARDS FOR DEMONSTRATION PROGRAMS BY**  
15                  **LOCAL PARTNERSHIPS TO COERCE ABSTI-**  
16                  **NENCE IN CHRONIC HARD-DRUG USERS**  
17                  **UNDER COMMUNITY SUPERVISION THROUGH**  
18                  **THE USE OF DRUG TESTING AND SANCTIONS.**

19       “(a) *AWARDS REQUIRED.*—The Director shall make  
20       competitive awards to fund demonstration programs by eli-  
21       gible partnerships for the purpose of reducing the use of  
22       illicit drugs by chronic hard-drug users living in the com-  
23       munity while under the supervision of the criminal justice  
24       system.



1       “(b) *USE OF AWARD AMOUNTS.*—Award amounts re-  
2       ceived under this section shall be used—

3               “(1) *to support the efforts of the agencies, organi-*  
4       *zations, and researchers included in the eligible part-*  
5       *nership;*

6               “(2) *to develop and field a drug testing and*  
7       *graduated sanctions program for chronic hard-drug*  
8       *users living in the community under criminal justice*  
9       *supervision; and*

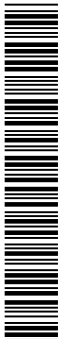
10              “(3) *to assist individuals described in subsection*  
11       *(a) by strengthening rehabilitation efforts through*  
12       *such means as job training, drug treatment, or other*  
13       *services.*

14       “(c) *ELIGIBLE PARTNERSHIP DEFINED.*—In this sec-  
15       tion, the term ‘eligible partnership’ means a working group  
16       whose application to the Director—

17              “(1) *identifies the roles played, and certifies the*  
18       *involvement of, two or more agencies or organiza-*  
19       *tions, which may include—*

20              “(A) *State or local agencies (such as those*  
21       *carrying out police, probation, prosecution,*  
22       *courts, corrections, parole, or treatment func-*  
23       *tions);*

24              “(B) *Federal agencies (such as the Drug*  
25       *Enforcement Agency, the Bureau of Alcohol, To-*



1           *bacco, Firearms, and Explosives, and United*  
2           *States Attorney offices); and*

3           “(C) *community-based organizations;*

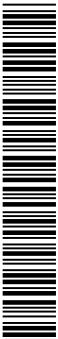
4           “(2) *includes a qualified researcher;*

5           “(3) *includes a plan for using judicial or other*  
6           *criminal justice authority to administer drug tests to*  
7           *individuals described in subsection (a) at least twice*  
8           *a week, and to swiftly and certainly impose a known*  
9           *set of graduated sanctions for non-compliance with*  
10          *community-release provisions relating to drug absti-*  
11          *nence (whether imposed as a pre-trial, probation, or*  
12          *parole condition or otherwise);*

13          “(4) *includes a strategy for responding to a*  
14          *range of substance use and abuse problems and a*  
15          *range of criminal histories;*

16          “(5) *includes a plan for integrating data infra-*  
17          *structure among the agencies and organizations in-*  
18          *cluded in the eligible partnership to enable seamless,*  
19          *real-time tracking of individuals described in sub-*  
20          *section (a);*

21          “(6) *includes a plan to monitor and measure the*  
22          *progress toward reducing the percentage of the popu-*  
23          *lation of individuals described in subsection (a) who,*  
24          *upon being summoned for a drug test, either fail to*  
25          *show up or who test positive for drugs.*



1 “(d) *REPORTS TO CONGRESS.*—

2 “(1) *INTERIM REPORT.*—Not later than June 1,  
3 2009, the Director shall submit to Congress a report  
4 that identifies the best practices in reducing the use  
5 of illicit drugs by chronic hard-drug users, including  
6 the best practices identified through the activities  
7 funded under this section.

8 “(2) *FINAL REPORT.*—Not later than June 1,  
9 2010, the Director shall submit to Congress a report  
10 on the demonstration programs funded under this sec-  
11 tion, including on the matters specified in paragraph  
12 (1).

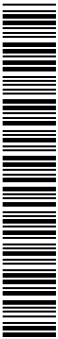
13 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—There is  
14 authorized to be appropriated to carry out this section  
15 \$10,000,000 for each of fiscal years 2007 through 2009.”.

16 **SEC. 16. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 716 (21 U.S.C. 1711), as redesignated by sec-  
18 tion 14 of this Act, is amended—

19 (1) by striking “title,” and inserting “title, ex-  
20 cept activities for which amounts are otherwise spe-  
21 cifically authorized by this title,”; and

22 (2) by striking “1999 through 2003” and insert-  
23 ing “2007 through 2011”.



1 **SEC. 17. TECHNICAL AMENDMENTS AND REPEAL.**

2 (a) *AMENDMENT TO PUBLIC HEALTH SERVICE ACT TO*  
3 *REPLACE OBSOLETE REFERENCES.*—Section 464P(c) of  
4 *the Public Health Service Act (42 U.S.C. 285o–4(c)) is*  
5 *amended—*

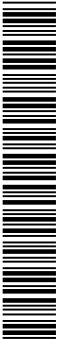
6 (1) *in paragraph (1), by striking “under section*  
7 *1002 of the Anti-Drug Abuse Act of 1988 (21 U.S.C.*  
8 *1501)” and inserting “under section 703 of the Office*  
9 *of National Drug Control Policy Reauthorization Act*  
10 *of 1998 (21 U.S.C. 1702)”;* and

11 (2) *in paragraph (2), by striking “under section*  
12 *1005 of the Anti-Drug Abuse Act of 1988 (21 U.S.C.*  
13 *1504)” and inserting “under section 706 of the Office*  
14 *of National Drug Control Policy Reauthorization Act*  
15 *of 1998 (21 U.S.C. 1705)”.*

16 (b) *REPEAL OF SPECIAL FORFEITURE FUND.*—Section  
17 *6073 of the Asset Forfeiture Amendments Act of 1988 (21*  
18 *U.S.C. 1509) is repealed.*

19 **SEC. 18. REQUIREMENT FOR DISCLOSURE OF FEDERAL**  
20 **SPONSORSHIP OF ALL FEDERAL ADVER-**  
21 **TISING OR OTHER COMMUNICATION MATE-**  
22 **RIALS.**

23 *Section 712 is amended to read as follows:*





1 **“SEC. 712. REQUIREMENT FOR DISCLOSURE OF FEDERAL**  
2 **SPONSORSHIP OF ALL FEDERAL ADVER-**  
3 **TISING OR OTHER COMMUNICATION MATE-**  
4 **RIALS.**

5 “(a) *REQUIREMENT.*—*Each advertisement or other*  
6 *communication paid for by the Office, either directly or*  
7 *through a contract awarded by the Office, shall include a*  
8 *prominent notice informing the target audience that the ad-*  
9 *vertisement or other communication is paid for by the Of-*  
10 *fice.*

11 “(b) *ADVERTISEMENT OR OTHER COMMUNICATION.*—  
12 *In this section, the term ‘advertisement or other commu-*  
13 *nication’ includes—*

14 “(1) *an advertisement disseminated in any form,*  
15 *including print or by any electronic means; and*

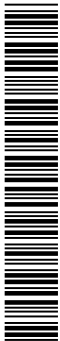
16 “(2) *a communication by an individual in any*  
17 *form, including speech, print, or by any electronic*  
18 *means.”.*

19 **SEC. 19. POLICY RELATING TO SYRINGE EXCHANGE PRO-**  
20 **GRAMS.**

21 *Section 703(a) (21 U.S.C. 1702(a)) is amended by*  
22 *adding at the end the following:*

23 *“When developing the national drug control policy, any pol-*  
24 *icy of the Director relating to syringe exchange programs*  
25 *for intravenous drug users shall be based on the best avail-*  
26 *able medical and scientific evidence regarding their effec-*

1 *tiveness in promoting individual health and preventing the*  
2 *spread of infectious disease, and their impact on drug ad-*  
3 *diction and use. In making any policy relating to syringe*  
4 *exchange programs, the Director shall consult with the Na-*  
5 *tional Institutes of Health and the National Academy of*  
6 *Sciences.”.*



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March 2, 2006 (6:14 PM)

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 2829**

[Report No. 109-315, Part \_\_\_\_]

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## **A BILL**

To reauthorize the Office of National Drug Control  
Policy Act.

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